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ORMOND DEEDS

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COIMISIÚN LÁIMHSCRÍBHINNÍ NA hÉIREANN
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CALENDAR OF
ORMOND DEEDS

VOLUME III

1413-1509 A.D.

EDITED BY

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PREFACE

This third volume of the Calendar of Ormond Deeds covers the period 1413 to 1509. The documents contained in it are of particular interest and value because the fifteenth century and early Tudor rule in Ireland (owing to the destruction or disappearance of our records by various casualties from the seventeenth century onwards) form an obscure period. And yet the fifteenth century is recognised to have been one of great importance in the waning of the Mediaeval age and the beginnings of the Tudor monarchy in Ireland with the introduction of English rule, law, speech and civilisation. In this period also the Irish language and culture was adopted by the descendants of the first feudal settlers and indeed became common with most of the colonists, so that what with the blending of the races a new and distinctive form of culture and nationality began to prevail. For these developments, and especially for the overgrown feudalism of the great Anglo-Irish families and their domination of Ireland under a Home Rule parliament, these varied documents, which are characteristic of what was happening in all the south of Ireland and indeed wherever the Normans were mixed with the Gaels, offer new and much needed light.

The main interest naturally centres round the house of Ormond which under Earl James IV (1405–1452) attained not only to great territorial magnificence but provided also a viceroy for Ireland who represented the Home Rule nationalism which was brought to an end by Poynings' parliament of 1494–5. Everything pointed to this great and pro-English family attaining that almost permanent Supremacy which later, from 1477 to 1534, was enjoyed by the Earls of Kildare. But James, son of this Earl, taking up the Lancastrian side, was killed in the Wars of the Roses, and henceforth the family became absentee in its senior line and expired with Thomas (7th Earl) in 1515. A junior branch, the Butlers of Polestown, became deputies for the absentee Earl, and finally the head of this branch, Sir Piers Roe, succeeded after the death of Thomas and founded a second Butler line, Earls of Ormond and Ossory. The documents which convey to Edmund MacRichard of Polestown, his son James, and his grandson Piers this deputyship are given in this Calendar (Nos. 211, 229, 320) ; they supplement and correct what Carte (*Life of the Great Duke of Ormond*) tells us on this point.

An interesting feature of this second branch is that, unlike the Earls themselves, they married Irish wives, in defiance of the Statutes of Kilkenny. The most striking of these marriages was that of James son of Edmund with Sabina (Sadhbh) Kavanagh, daughter of Donal

Reagh McMurrough, the Irish king of Leinster, by whom he had a son, the famous Sir Piers Roe. This marriage was a *cause célèbre* in the Ireland of the time and needed an act of Parliament and episcopal pronouncements to make it valid (Nos. 226, 230, 231). The will of James Butler (No. 329) is interesting not only in itself but because he styles himself "captain of his nation," testifying how far the idea of Irish chieftainship was spreading.

The Palatine powers, the hereditary Prise of wines as Butler of Ireland, and the other rights of the Ormond family form the subject of several long deeds here (Nos. 252, 261, 316, 342). Their powers as Lord Deputy are shown in Nos. 84, 177, 259, etc. The operation of Poynings' Acts, especially as regards the great act of Resumption, which affected Ormond also, is illustrated in No. 298 ; and the reversal of the attainder of this great family by act of Parliament in 1475 is given in Nos. 213 and 242.

The two other great Earls of the south, Desmond and Kildare, are mentioned in several interesting deeds which form new material for the history of these families and supplement the genealogical details given in Vicary Gibbs' latest edition of Cokayne's *Complete Peerage*. The dubious question of the succession in the earldom of Kildare after 1432 is settled by the evidence of Deeds 101 and 135. The loss of the records of the Geraldine line of Desmond at the time of their forfeiture in 1583 has greatly limited our knowledge of this interesting family, one which became far more Irish than Kildare or Ormond. This Calendar does not add much indeed, but a series of Inquisitions on the lands, etc., of the Desmond earldom in 1420–1 (*See* Deed 45) gives a unique record of the extensive lands of the family at that time.

The history of municipal liberties in Ireland is illustrated by Deeds 1 and 3 ; the latter, those of Youghal as granted by the 4th Earl of Ormond, are apparently not recorded elsewhere.

As in earlier volumes, entries in or even references to the Irish language practically do not occur, for the Butlers do not seem to have patronised Irish culture. But they also, like other great families, had to have Irish jurist-consults for their Irish tenants, and Deed 66 reveals a settlement in Ormond of a Brehon family. On the other hand the spread of English in Ireland is suggested by such Deeds as 102.

The admission to English law and liberty by letters patent of Henry VII to Cormac MacCarthy (No. 273) and to William Casshen (No. 306) are interesting specimens of this form of grant and by implication suggest what rights were denied to the so-called "Irish enemies" after the Statutes of Kilkenny.

The growth of Irish customs and tributes among the Anglo-Irish lords, which were greatly denounced in Poynings' Parliament and in the next century as "abominable Irish extortions," is revealed interestingly and in detail in Deeds 94 and 102. The various rentals of the Ormond manors show the change in land economy, tenure and

agriculture that took place from the earlier to the later mediaeval period (Deeds 102, 119, 147, etc.) ; the disappearance of the " betaghs " is marked. A particularly interesting and rare rental is that of the manors of Turvey and Rush in county Dublin, 1476–84 (Deed 245). From this one could almost reconstruct a picture of this little district, the names of whose tenants are fully recorded, including a curious list of " tenants at the will of the lord," fishermen who render to the lord tribute of herrings, as implied in the name Balscaddan.

Two rolls of the Court of the Liberty of Tipperary in 1432 and 1508 gives a clear picture of the way in which the Earl's Palatine court was summoned and who its tenants were (Deeds 102, 337). The proceedings of a Sheriff's Tourn in Deeds 200 and 224 are also rare documents to find for this kind of jurisdiction.

The human interest is not lacking in such of these deeds as record court proceedings, for example, an interesting case of 1482 in which the Earl of Ormond seems to have put pressure on a reluctant father, Walter Burke, to enfeoff his bastard son Richard (Deed 255).

The finds which these documents continue to afford us are illustrated in the Calfe or Le Veel Deeds (Nos. 39, 144, 346), which bear upon the interesting question of the marriage between the famous Art Mac Murrough, king of Leinster, in 1390 with Elizabeth Calfe, heiress to the feudal barony of Norragh, county Kildare. On this point and the descent of this Barony from Strongbow's time, I have contributed a paper to *the Journal of Royal Society of Antiquaries, Ireland*, for June, 1935.

In Deed 272 we seem to have a deed by Lambert Simnel as " Edward VI of England and Ireland," as explained in my note.

I hereby take the opportunity to express my continued thanks to the Librarian and Staff of Trinity College, Dublin, for the facilities they have put in my way in this work, and to other helpers such as Miss Margaret C. Griffith, who gave me valuable assistance in that portion of the Addenda to this volume which comes under No. 342.

EDMUND CURTIS.

Trinity College,
Dublin.

August, 1935

LIST OF DEEDS

1. Confirmation of the municipal liberties of Wexford. [July 25, 1318; April-September, 1413].

2. Grant by John Wyndesore to Arthur Ormesby of lands, etc., in the barony of Inchiquin. [April 12, 1413].

3. Grant of liberties by James, Earl of Ormond, to the town of Youghal. [May 24, 1413 *or* 1420].

4. Grant by Philip Kylby to Walter Marcos, etc., of messuages in Kilkenny. [August 27, 1413].

5. Letter of attorney by Sir William Bourgchier to let his lands in Ireland. [August 27, 1413].

6. Indenture between the attorneys of Sir William Bourgchier and James, Earl of Ormond. [September 6, 1413].

7. Grant and quit-claim by James Ballaht to Patrick Cotterell, etc., of property in Insnak, etc. [December 1, 1413].

8. Indenture between James, Earl of Ormond, and Thomas Harbrig concerning Cloncurry, etc. [March 7, 1414].

9. Indenture between James, Earl of Ormond, and Robert Cantewell concerning rent in the barony of Overk. [April 2, 1414].

10. Acknowledgment by Henry Stanihurst of the receipt of a sum from William fitz Geraud, etc. [November 17, 1414].

11. Indenture between James, Earl of Ormond, and William Loge concerning the manor of Turvey. [February 6, 1415].

12. Quit-claim by William Barret to John de Sancto Albino of land in Old Coillagh. [May 12, 1415].

13. Quit-claim by Maurice de Bathe to Richard Prout of land in the barony of Knocktopher. [September 8, 1415].

14. Rental of Kylcron. [October 3, 1415].

15. Letters patent of Henry V pardoning all intrusions, etc., by Patrick Coterell and John Newe in counties Wexford and Kilkenny. [January 16, 1416].

16. Quit-claim by Richard Prout to William Gibbow of land in Denghinmore, etc. [January 22, 1416].

17. Indenture between James, Earl of Ormond, and William Archer, etc., concerning mills in Kilkenny. [April 14, 1416].

18. Quit-claim by Nicholas Ponxe to Walter Staunton of lands in Kylfane. [April 18, 1416].

19. Grant by Patricia Cantewell, etc., to Henry Forstall of lands in Ramynduff. [May 3, 1416].

20. Quit-claim by Maurice Woulfe to Richard Sparke of a messuage in Ross. [May 18, 1416].

21. Deed of Richard Walsche, etc., concerning property in Thurles. [July 24, 1416].

22. Four deeds by Alice Archer, etc., concerning Rathsax and Gibbeston. [October, 1416-April, 1417].

23. Pleas held in the court of the Liberty of Tipperary. [June-October, 1417].

24. Deed of Thomas Butler, Prior of Kilmainham, regarding the barony of Kells. [July 9, 1417].

25. Deed containing evidence on behalf of John Archedekyn concerning land at Nywhous. [January 5, 1418].

26. Deed of attorney by John Mothill to place Patrick Coterell in seisin of lands in county Kilkenny. [March 27, 1418].

27. Grant by Thomas de la Hyde to John Sower, etc., of lands in Clarelleston, etc. [March 28, 1418].

28. Indenture between James, Earl of Ormond, and John Harbrok, etc., concerning land near Rosbercon. [April 1, 1418].

29. Quit-claim by David Walsh to Andrew Furlang of a messuage in Ross. [June 2, 1418].

30. Bond of John Burdeville to John Leder, etc., before the mayor of the staple of Dublin. [July 4, 1418].

31. Grant by Richard Mayllard to Thomas Devenyss of a messuage in Oldcoyllagh. [July 23, 1418].

32. Five deeds by William Legrow, etc., concerning property in county Waterford. [January, 1419].

33. Grant by Nicholas Durry to John Tobyne of lands in Kylamery. [July 20, 1419].

34. Bond of Maurice Roche to James Butler and the sovereign of Youghal. [October 16, 1419].

35. Account of royal services in county Kilkenny. [November, 1419].

36. Quit-claim by Kaight Brenan to John Dobyn of property in Flemyngeston. [January 23, 1420].

37. Grant by Arthur Ormesby to James, Earl of Ormond, of his rights in Inchiquin and Youghal. [February 28, 1420].

38. Indenture between James, Earl of Ormond, and Thomas Petyt concerning a campaign in Ireland. [March 1, 1420].

39. Four deeds by Elizabeth Calfe and John Raggyt concerning the manor of Norragh. [March, 1420-September, 1442].

40. Quit-claim by Peter Everard to Richard Prout of land in Denghynmore, etc. [April 18, 1420].

41. Deed of attorney by James Bellewe to place Thomas Prestoun, etc., in seisin of lands in Haltoun. [June 10, 1420].

42. Acknowledgment by Walter Shirlok, seneschal of the Earl of Ormond, of rent from William Archer. [July 9, 1420].

43. Indenture between James, Earl of Ormond, and John Roche concerning Ratron in Meath. [September 18, 1420].

44. Roll of the county court of the Liberty of Tipperary. [1421].

45. Inquisitions of the Earldom of Desmond, Liberty of Kerry, etc. [December, 1420—January, 1421].

46. Grant by James, Earl of Ormond, to John Coke of the office of warder of a meadow near Kilkenny. [January 20, 1421].

47. Acknowledgment by Patrick, bishop of Ossory, of the receipt of rent from Patrick Coterell. [April 3, 1421].

48. Grant by William Veng to Patrick Coterell of a mill-pond in Kells. [August 20, 1421].

49. Acquittance by Walter Shyrlok, seneschal of the Earl of Ormond, of the revenues of the burgages of Kilkenny, to the reeve of the Earl of Stafford. [August 29, 1421].

50. Grant by Nicholas Swetman to Robert Folyng of lands in Gebonneschephous, etc. [January 12, 1422].

51. Indenture between James, Earl of Ormond, and James, Earl of Desmond, concerning Inchiquin, Youghal and Imokilly. [January 31, 1422].

52. Deed of attorney by James, Earl of Ormond, etc., to place Walter Shirlok in seisin of the manor of Dunnovir. [February 20, 1422].

53. Grant by John de la Veer to John Lumbard of the manor of Ballykeff, etc. [March 8, 1422].

54. Letters patent of James, Earl of Ormond, appointing William Dogge seneschal for all his manors, etc., in England. [April 12, 1422].

55. Grant by Geoffrey Baron to Edmund Butler fitz Thomas of the manors of Tempilheyn, etc. [April 12, 1422].

56. Grant by Richard Kepagh to John Butler fitz Thomas of the manor of Dangenespedoke, etc. [April 12, 1422].

57. Grant by Richard Prout to John Butler fitz Thomas of the manors of Casselharrayl, etc. [April 16, 1422].

58. Quit-claim by Thomas O'Ryane to Patrick Coterell of a fishery in the Nore. [April 16, 1422].

59. Grant by Margaret de la Freigne to Rosina Fawkener of lands, etc., in the tenement of Tascoffyne. [July 16, 1422].

60. Grant by Adam White to John Lafan of messuages in Bolek. [October 23, 1422].

61. Account of royal service belonging to the Earl of Ormond in county Kilkenny. [*circa* 1423].

62. Grant by William Devenysh to Gilbert Eylward of lands, etc., in Kilblethyn. [February, 1423].

63. Grant by the sovereign, etc., of Clonmel to Edmund Stewyn of property in that town. [July 1, 1424].

64. Grant by John Oweyne to John Kylrame of lands, etc., in Loghrath, etc. [July 19, 1424].

65. Grant by Thomas Peryne to Patrick Godyne of lands in Kells in Ossory. [July 29, 1424].

66. Grants by James, Earl of Ormond, to Donald Mac Glanghy, etc., etc. [1425-1441].

67. Pleas held in the court of the Liberty of Tipperary. [April 19, 1425].

68. Grant by John Keppagh to Ralph Archer of land in the lordship of Dunfert. [February 10, 1426].

69. Grant by Walter Stantoun to John Waas of lands in Kilfane. [March 12, 1426].

70. Rental of the Earl of Ormond and the Earl of Stafford. [April, 1426].

71. Grant by Thomas Brode to John Schorthals of lands in the barony of Balligaverane. [September 30, 1426].

72. Letters patent of James, Earl of Ormond, Lord of the Liberty of Tipperary, concerning an outlawry. [November 20, 1426].

73. Grant by Edward Butler to William Avenell, etc., of lands in county Kilkenny. [December 4, 1426].

74. Quit-claim by Magina Coll to Richard Broun of land in Ross. [March 21, 1427].

75. Grant by Magina Coll to Nicholas Burton of property in Ross. [September 27, 1427].

76. Grant by Willig Sentleger to Henry Sentleger of the manor of Lewghill, etc. [March 8, 1428].

77. Inquisition taken before William Butler, seneschal, at Clonmel. [May 12, 1428].

78. Proceedings in the court of James, Earl of Ormond, held at Knocktopher. [October 14, 1428].

79. Quit-claim by Elena de la Freigne to James, Earl of Ormond, of the manor of Lesterlyn. [November 4, 1428].

80. Quit-claim by John Blakeney to James, Earl of Ormond, of property in Dublin. [December 1, 1428].

81. Quit-claim by Richard Horihan to John Tobyn of lands, etc., in Kylamery. [January 29, 1429].

82. Grant by James, Earl of Ormond, to Hugh Bavent, etc., of the manors of Turvey, Blackcastle, etc. [November, 1428-February, 1429].

83. Inspeximus of a final concord made between Hugh Bavent, etc., and James, Earl of Ormond, touching the manor of Blackcastle. [February 9, 1429; November 20, 1516].

84. Two deeds touching the appointment of James, Earl of Ormond, as Lieutenant of Ireland. [February, 1429].

85. Quit-claim by Donatus Mac Murrough of the manor of Nywame, etc. [February 20, 1429].

86. Grant of pardon to the abbot of Holy Cross by James, Earl of Ormond. [March 3, 1429].

87. Letter of John Butler, seneschal of the Liberty of Tipperary. [April 7, 1429].

88. Indenture between James, Earl of Ormond, and James, Earl of Desmond. [May 10, 1429].

89. Grant by Adam Ketyng to William Prendyrgast of a messuage in Ross. [November 2, 1429].

90. Grant by Margaret Braynok to Nicholas Braynok of a messuage in Condownyestoun. [December 19,1429].

91. Grant by John Ragit, etc., to Thomas Chamerleyn, etc., of land in the lordship of Castledogh. [February 10, 1430].

92. Grant by James, Earl of Ormond, to William Broun of rents of the manor of Blackcastle. [February 19, 1430].

93. Grant by John Fanyn to Thomas de sancto Johanne of lands, etc., in Haltonurstown. [August 2, 1430].

94. Indenture between Sir David fitz Morice and Edmund son of Thomas Butler, etc. [September 5, 1430].

95. Rental of the Earl of Ormond in counties Kilkenny and Tipperary. [April, 1432].

96. Grant by John Houlyn to Nicholas Houlyn of land in the lordship of Kells in Ossory. [May 8, 1432].

97. Grant by Henry, son of the Abbot, to John Marchall of property in Limerick, Ormond, etc. [June 17, 1432].

98. Letters of safe conduct to pilgrims by James, Earl of Ormond. [July 8, 1432].

99. Letters patent of Henry VI permitting James, Earl of Ormond, to marry Elizabeth, widow of Lord Grey. [July 18, 1432].

100. Grant by James, Earl of Ormond, to Joan de Beauchamp of the lordship of Kilpeke. [*circa* 1432].

101. Royal writ to the Escheator of Ireland touching an inquisition into the lands of Gerald, Earl of Kildare. [December 14,1432].

102. Records of the court of the Liberty of Tipperary. [1432].

103. Quit-claim by Edmund Butler, etc., to James, Earl of Ormond, of the manor of Thorles, etc. [March 10, 1433].

104. Rental of Kilcrone. [April, 1433].

105. Three deeds by Robert Dullard, etc., concerning Nywehouse, etc. [April, 1433-April, 1437].

106. Grant by Isina Mc Griffyn to Richard Mc Griffyn of various lands. [August 8, 1433].

107. Grant by John Howlyn to James, Earl of Ormond, of various rents. [September 3, 1433].

108. Roll of amercements before John Butler, seneschal of the Liberty of Tipperary. [October 5, 1433].

109. Writ of James, Earl of Ormond, to the sheriff of the Liberty of Tipperary. [October 26, 1433].

110. Rentals of Knocktopher, Callan and other lands of the Earl of Ormond. [1433-1434].

111. Grant by Margaret Grant to James, Earl of Ormond, of rent of the burgage of Kells. [January 14, 1434].

112. Indenture between James, Earl of Ormond, and the Prior of St. John's near Kilkenny, concerning rents. [January 20, 1434].

113. Grant by Margaret Brit to John Walsh of a messuage in Cashel. [May 4, 1434].

114. Indenture between James, Earl of Ormond, and Nicholas Butler concerning Laynaghestoun, etc. [May 10, 1434].

115. Indenture between James, Earl of Ormond, and Robert Chamberleyn concerning land in Kilkenny. [May 20, 1434].

116. Grant by James, Earl of Ormond, to his brother James of the manor of Ballycolenan. [June 5, 1434].

117. Quit-claim by Juliana Dewenysche to John Waryne of certain lands, etc. [June 18, 1434].

118. Grant by James, Earl of Ormond, to Oliver Shorthals of the marriage of Alexander Grace. [July 1, 1434].

119. Rental of the Earl of Ormond in counties Kilkenny and Tipperary. [November, 1434].

120. Indenture between James, Earl of Ormond, and Robert Walshe, etc., touching the castle of Carrick. [December 13, 1434].

121. Grant by Johanna Gibbon to Richard Prout of land in the barony of Kells. [March 21, 1435].

122. Grant by James, Earl of Ormond, to William fitz Olyver of lands, etc., in Meidlagh. [April 22, 1435].

123. Grant by James, Earl of Ormond, to Thomas Howell of a mill near Knocktopher. [April 22, 1435].

124. Grant by James, Earl of Ormond, to William Boyd of lands in Kilkenny. [April 22, 1435].

125. Grant by James, Earl of Ormond, to Walter Glerne of messuages in Kilkenny. [April 24, 1435].

126. Deed of attorney by John Walsh to place David Boscher in seisin of messuages in Rosponte. [August 1, 1435].

127. Grant by Richard Hout, etc., to John Waryne of land in Brouneston. [December 10, 1435].

128. Grant by Nicholas Prendergast to Nicholas Burtoun of property in Ross. [September 28, 1436].

129. Inquisition taken in the court of the barony of Lisroragh. [October 22, 1437].

130. Deed of attorney by Raymond Datoun to place Richard de Valle in seisin of Atheny. [July 18, 1438].

131. Deed of attorney by Johanna Kylrawne to place Patrick de la Freyne in seisin of the manor of Grage, etc. [January 18, 1439].

132. Grant by Joan Gybbon to James, Earl of Ormond, of the manor of Denghynmore, etc. [July 1, 1439].

133. Grant by Richard Prout to James, Earl of Ormond, of land in the barony of Knocktopher. [July 6, 1439].

134. Grant by Malachias O' Fynyne to James, Earl of Ormond, of land in Villa de Ownyng. [February 1, 1440].

135. Letters patent of Henry VI touching the outlawry of Thomas fitzMaurice. [February 3, 1440 ; July 8, 1444].

136. Grant by John Walsh to James, Earl of Ormond, of land in Hopkynestoun. [February 18, 1440].

137. Grant by Thomas Cantwell to James, Earl of Ormond, of lands, etc., in the barony of Knocktopher. [August 12, 1440].

138. Rentals of Dunfert. [1440-1443].

139. Indenture between James, Earl of Ormond, and Edmund son of Richard Butler concerning the manor of Powlystown. [November 1, 1440].

140. Indenture between James, son of the Earl of Ormond, and Thomas Prendergast for military service in France. [December 8, 1440].

141. Two deeds by Christopher Coterell, etc., concerning a messuage in Kells in Ossory. [January, 1441].

142. Deed of attorney by William Nele, etc., to place James, Earl of Ormond, in seisin of a messuage in Ross. [January 9, 1441].

143. Grant by William Northyn to James, Earl of Ormond, of land in Gybleteslond. [February 3, 1441].

144. Judgment by the Bishop of Ossory on the legitimacy of Edmund le Freyn. [August 19, 1441].

145. Quit-claim by John Raghit to John Arderne of lands, etc., in the borough of Kilkenny. [September 10, 1441].

146. Royal service of Kyldenall. [November, 1441].

147. Rental of Rosbercon, etc. [1442-1443].

148. Grant by Thomas Seis to John fitzRedmond of lands, etc., in the barony of Overk. [January 3, 1442].

149. Grant by Catherine fitzJohn to James, Earl of Ormond, of lands, etc., in Odaa. [January 12, 1442].

150. Grant by Edward Clerk to James, Earl of Ormond, of the manor of Logh Glassy, etc. [May 16, 1442].

151. Court of Dunfert held before Walter Sherlok, seneschal of James, Earl of Ormond. [October 4, 1442].

152. Grant by Henry Walsch to John White of messuages in Clonmel. [November 9, 1442].

153. Bond of Redmund Mc Elyot to Thomas Habay. [December 29, 1442].

154. Grant by James, Earl of Ormond, to Richard Tywe, of Kilcollum, etc. [January 10, 1443].

155. Two deeds by Nicholas Sweteman and Thomas Barre concerning a messuage in Thomastown. [February, March, 1443].

156. Grant by John Taaff, etc., to Thomas Wodford of lands, etc., in county Louth. [March 9, 1443].

157. Payments made to the Earl of Ormond's servants. [April, 1443].

158. Inspeximus of an indenture between James, Earl of Ormond, and Gerald Foster concerning the mill of Whiteston. [October 10, 1443].

159. Documents relating to the Earl of Ormond's government of Ireland. [1444].

160. Rental of the lordships of James, Earl of Ormond, in counties Kilkenny and Waterford. [April, 1444].

161. Indenture between James, Earl of Ormond, and Sir Richard Nugent, baron of Delvin. [August 28, 1444].

162. Grant by Richard Boneys to David fitzJohn of lands, etc., in the tenement of Tascoffyn. [February 16, 1445].

163. Quit-claim by John Hall to John Waring of land in Brounston. [August 19, 1445].

164. Proceedings in the Liberty Court of Tipperary. [October 14, 1445].

165. Inquisition of the manors of Turvey, Lusk, etc. [January 10, 1446].

166. Indenture between Edmund Butler and Richard Butler concerning the manor of Kyltevenane. [January 20, 1446].

167. Grant by William Walsch to Nicholas Hynberye of the manor of Owenyn, etc. [February 10, 1446].

168. Deed of attorney by the abbot of Surio to attach Richard Scadan. [April 20, 1446].

169. Deed of attorney by Anastasia Daton to place Geoffrey Vale in seisin of lands in county Kilkenny, etc. [August 31, 1446].

170. Deed of attorney by Robert Shortals to place Thomas Langton in seisin of the manor of Omest Claragh. [December 8, 1446].

171. Grant by Richard Dutton to John Spellis of land in Callan. [August 26, 1447].

172. Indenture between James, Earl of Ormond, and Walter Glerne concerning the lands which belonged to the Earl of Stafford. [March 5, 1449].

173. Grant by John Kiwe to Edmund Everard of a messuage in Carrickmagriffin. [June 12, 1449].

174. Grant by John Swetman, etc., to James, Earl of Ormond, of the manor of Donmore. [June 16, 1449].

175. Grant by Richard O'Hedian to John Cantwell of messuages in Boteston, etc. [*circa* 1450].

176. Indenture between William Walshe and John Row concerning a messuage in Ross. [April 5, 1450].

177. Indenture between Richard, Duke of York, and James, Earl of Ormond. [July 28, 1450].

178. Grant by Robert Wythe to John Hedyan of property in Fethard, etc. [December 7, 1450].

179. Court held before the seneschal of James, Earl of Ormond, at Knocktopher. [March 4, 1451].

180. Indenture between James, Earl of Ormond and Edmund Butler of Dunboyn, on one side, and Richard fitzThomas Butler, on the other, touching the manor of Kiltevenane. [February 2, 1452].

181. Grant by Patrick de la Freyne to Edmund Butler of the manor of Grage. [May 16, 1452].

182. Grant by James, Earl of Ormond, to Edmund Butler of the manor of Dunmore. [June 19, 1452].

183. Grant by James, Earl of Ormond, of the office of town clerk of Kilkenny. [? November 15, 1452].

184. Deeds showing the descent of the Daton family. [1452-3].

185. Grant by Robert Datoun to Patrick Datoun of land in the tenement of Unynge. [January 16, 1453].

186. Indenture between William Erchedekyn, etc., and a daughter of Owne Mac Gylpatrick. [February 8, 1453].

187. Grant by Elena Dongan to Simon Beket of a messuage in Ross. [July 20, 1453].

188. Grant by John Troy, etc., to Edmund Butler of lands, etc., in Donnovir, etc. [January 2, 1454].

189. Grant by Nicholas Eylward to Thomas Whyte of a messuage in Kells. [January 3, 1454].

190. Petition for aid for county Wexford against Thomas of Desmond, Edmund Butler, Donal Reagh Kavanagh, etc. [*circa* 1455].

191. Grant by John Spellys to Edmund Butler of messuages in Callan. [April 12, 1455].

192. Grant by Richard Butler to Maurice Kent of his manor of Knocktopher, etc. [November 7, 1455].

193. Grant by Philip George to Robert Whit of messuages in Cashel. [November 10, 1455].

194. Grant by Edmund Poer to Nicholas Braynock of land in the lordship of Rathgeyll. [March 4, 1456].

195. Deed of Patrick Haket concerning land in the tenement of Bylkyndon. [June 11, 1456].

196. Quit-claim by Anastacia Erchedeken to Donald O' Wholowhan of rights in Carrhygyn, etc. [October 21, 1456].

197. Grant by Katherine Roche to Redmund Roche of all her manors in le Rower. [November 6, 1456].

198. Grant by Laurence Arlonde to Edmund Butler of lands, etc., in Nywhous, etc. [April 24, 1457].

199. Quit-claim by John Butler to Edmund Butler of his rights in Rathenys, etc., county Carlow. [April 24, 1457].

200. Proceedings in the Liberty Courts of Tipperary. [May, 1457-June, 1458].

201. Three deeds of John Sweetman, etc., concerning lands in county Kilkenny. [July, 1457-February, 1486].

202. Grant by Robert Datown to James son of Edmund Butler of a townland in the lordship of Datounesland. [September 8, 1457].

203. Indenture between James son of Edmund Butler and Robert Datown, etc. [September 12, 1457].

204. Grant by Margaret Brahynoc to Elicia Brahynoc of lands in the lordship of Condineston. [March 19, 1459].

205. Grant by Lauland Griffyn, etc., to Edmund Butler, of Schortaleston, etc. [May 26, 1459].

206. Judgment between Edmund Butler and Walter Butler regarding the manor of Donmore. [*circa* 1460].

207. Letter of William Downyll concerning land in Paynestown. [*circa* 1460].

208. Grant by Robert Weston to William Weston of a messuage in Kilkenny. [April 12, 1460].

209. Grant by Richard Felan to Patrick de Launde, etc., of lands in Kilmanan, etc. [October 8, 1461].

210. Grant by John Walche to Thomas Benet of a messuage in Ross. [January 10, 1462].

211. Letters of John, Earl of Ormond, appointing Edmund fitzRichard Butler his deputy in Ireland. [January 30, 1462].

212. Quit-claim by John Dene to Theobald Butler of half the lordship of Kilcron. [August 6, 1462].

213. Inspeximus of an act of parliament reversing the attainder of John, Earl of Ormond. [October 15, 1462 ; July 2, 1475 ; July 27, 1637].

214. Inspeximus of an act of parliament attainting John of Ormond, etc. [October 15, 1462 ; July 27, 1637].

215. Grant by William Butler to Thomas Benet of a messuage in Ross. [January 10, 1463].

216. Will of Thomas Kilbery of Kilkenny. [March 26, 1463].

217. Grant by the reeve and community of Cashel to William Bary, etc., of a tenement in that town. [September 26, 1463].

218. Rental of John, Earl of Ormond. [*circa* 1464].

219. Rental of the Earl of Ormond in county Kilkenny. [1464].

220. Rental of Knocktopher, etc. [1464].

221. Petition of Richard Butler to John, archbishop of Cashel, regarding the church of Knockgraffon. [June 20, 1464].

222. Rental of Turvey. [*circa* 1465].

223. Deed of attorney by Margaret Faunt to place the vicars of the Common Hall of Kilkenny in seisin of lands in Balyfennon, etc. [January 10, 1465].

224. Tourn of the sheriff of the Liberty of Tipperary. [April, 1465].

225. Indenture between Margaret Prendergast and Thomas Don concerning a messuage in Ross. [August 8, 1465].

226. Judgment of the bishop of Ossory with regard to the marriage of James Butler and Sabina Kavanagh. [August 24, 1465].

227. Grant by the reeve and community of Lysroragh to Thomas Howet of land in Lysroragh. [October 20, 1465].

228. Deed of attorney by Patrick fitzJone to place the vicars of the Common Hall of St. Canice's in seisin of the manor of Correston, etc. [January 15,1466].

229. Letters patent of John, Earl of Ormond, appointing James son of Edmund Butler his deputy in Ireland. [August 17, 1466 ?].

230. Letters of denization granted to Sawe Kavanagh, wife of James Butler. [May 20, 1467].

231. Inspeximus of acts of parliament relative to the descent of the Earldom of Ormond. [February 3, 1468 ; October 18, 1536].

232. Letters patent of Edward IV appointing James and Edmund, sons of Piers Butler, as special commissioners. [December 9, 1468].

233. Grant by Nicholas Olynche to James Butler of a messuage in Carrickmagriffin. [*circa* 1470].

234. Rental of John, Earl of Ormond. [1472-1477].

235. Two deeds by John Sweteman concerning the manor of Douncormoc, etc. [March, 1472].

236. Grant by Richard Trolley to Peter Butler of lands in Lisroragh. [April 1, 1472].

237. Letters patent of Edward IV granting to James son of Edmund Butler the lordship of Callan. [April 11, 1472].

238. Indenture between Richard Macode and Richard Northman concerning land, etc., in Thomastown. [April 1, 1473].

239. Proceedings of assizes in county Kilkenny. [October 24, 1474].

240. Indenture between James Butler, lord of Donmore, and Richard Power, etc., concerning the manor of Donmore. [January 31, 1475].

241. Grant by Margaret Kilrane to John Lang of lands in the barony of Ballygaveran. [April 24, 1475].

242. Inspeximus of letters patent of Edward IV reversing the attainder of John of Ormond. [July 21, 1475; June 17, 1476].

243. Inspeximus of an enrolment reversing the attainder of John of Ormond. [July, 1475; June, 1476; November 18, 1527].

244. Deed of attorney by Thomas Butler, baron of Knockgraffon, for the guardianship of the lands of Thomas Cantwell of Gleangoyll. [August 12, 1475].

245. Rentals of Turvey, Rush and Balscadden. [1476-1484].

246. Grant by Kateryna Walche to David de Wall of a messuage in Cashel. [March 19, 1476].

247. Inspeximus of letters patent of Edward IV granting seisin to Thomas Butler of the Ormond lordships, etc., in Ireland. [June 15, November 15, 1477].

248. Petition by Thomas of Ormond for restitution in Ireland. [*circa* 1478].

249. Inspeximus by Edward IV of an act annulling the acts of the Earl of Kildare's parliament. [February 24, 1479].

250. Judgment by the bishop of Ferns on the marriage of William Sutton. [June 22, 1479].

251. Indenture between Walter Purcel and Philip fitzGefferowe concerning Aghyglyn. [February 7, 1480].

252. Letters patent of Edward IV touching the Earl of Ormond's prise wines. [April 6, 1481].

253. Deed of attorney by James Coterell to place William Coterell in seisin of land in the barony of Erley. [June 15, 1481].

254. Grant by James Coterell to Edmund Purcell of lands in the tenement of Grollyn. [November 29, 1481].

255. Notarial instrument containing allegations of violence made by Walter Hakede against James, Earl of Ormond. [July 9, 1482].

256. Quit-claim by Katherine fitzJohn to James Blansvyle of her claim in Villa Castowne. [October 12, 1482].

257. Grant by William John to Dermot O' Manyng of lands in the barony of Balligeran. [October 30, 1482].

258. Grant by John Swetman to James Butler of the manor of Balykyth. [1483].

259. Indenture between James Troy and Redmund Astekyn concerning the two Ardaghs. [May 26, 1483].

260. Grant by David Hyland to John Lang of property in Waterford. [August 23, 1483].

261. Inspeximus of an act of parliament touching the Earl of Ormond's prise wines ; and a grant of prise wines by Henry VII. [March 20, 1484 ; January 4, 1497].

262. Three Cantwell deeds concerning land in Baylyntohyr. [December, 1483 ; May, 1484].

263. Quit-claim by Henry Walsch to William Konall of land in the parish of Kilry. [March 15, 1484].

264. Grant by James Butler to Patrick Molgan of a fishpond in county Waterford. [January 20, 1485].

265. Letters patent of Richard III granting leave of absence from Ireland to Thomas, Earl of Ormond. [February 16, 1485].

266. Grant by Margaret Contoun to Sawina Kewanagh, wife of James Butler, of the manor of Ryston in Ogenty. [July 12, 1485].

267. Grant by John Hedian, bishop of Ossory, to James Hedian of the castle of Ballibeg, etc. [*circa* 1486].

268. Notarial deed reciting papal letters concerning the marriage of Edmund Asteken. [January, 1486 ; June 24, 1503].

269. Grant by Thomas Troy to John Butler of lands in the tenement of Dromodelgyn. [June 10, 1486].

270. Grant by Margaret Tobin to Robert Lenard of land in Woweynstoun. [January 16, 1487].

271. Notarial deed containing evidence concerning the title to Carrickmagriffin. [June 21, 1487].

272. Letters patent of Gerald, Earl of Kildare, made in the name of King Edward. (Possibly a Lambert Simnel deed.) [August 13, 1487 ?]

273. Letters patent of Henry VII granting English law and liberty to Cormac Mac Teig Macarthy, lord of Muskerry. [May 16, 1488].

274. Grant by Henry VII to Peter Butler of the office of sheriff of Kilkenny. [March 20, 1489].

275. Notarial deed concerning the legitimacy of Thomas and William Fannyng. [August 4, 1489].

276. Deed of attorney by Johanna Wale to place Maurice Fitz Austyn in seisin of property in Carrickmagriffin. [November 17, 1489].

277. Indenture between Nicholas Birton and Philip Hedian concerning a messuage in Ross. [December 25, 1489].

278. Notarial deed concerning the title to property in Clonmel. [April 7, 1491 ; May 6, 1508].

279. Letters patent of the dean of Ossory concerning the rectory of Kulcrahyn. [August 13, 1491].

280. Indenture between John Butler and Edmund Graunte concerning Kylmabowthe. [September 29, 1491].

281. Deeds relating to the rights of the baron of Knockgraffon. [November, 1491 ; September, 1500].

282. Will of William the Sytheloer of Kilkenny. [February 8, 1492].

283. Grant by Redmund Daton to John Butler of his tenements of Cillcrispyne, etc. [December 21, 1492].

284. Indenture between Robert Kilbery and Robert Follane concerning a messuage in Kilkenny. [August 14, 1493].

285. Grant by Sir James Ormond to William Casshyn of the liberties of Carrick. [September 3, 1493].

286. Copy of an act of parliament concerning the election of the Lord Justice of Ireland. [November, 1494].

287. Letters patent of Henry VII granting to Sir James Ormond the manor of Ardmulghan. [September 12, 1494].

288. Letters patent of Henry VII on behalf of Thomas, Earl of Ormond, concerning an act of Resumption. [? 1495 *or* 1499].

289. Indenture between John Butler and Oliver Cantwell, bishop of Ossory, concerning towns in the barony of Agheyrte. [March 16, 1495].

290. Grant by Edmund Benet to Patrick White of lands in Lysronagh. [May 14, 1495].

291. Indenture between Clement Butler and Donald O' Trassye concerning a messuage in Ross. [June 17, 1495].

292. Letters patent of Henry VII appointing Sir James of Ormond constable of Limerick castle. [February 6, 1496].

293. Letter of Henry Fagan concerning a tenement in Clonmel. [October 8, 1496].

294. Grant by Katherine Baarr to William Casshyn of a messuage in Carrick-on-Suir. [November 9, 1496].

295. Royal pardon granted to Sir Piers Butler. [February 28, 1498].

296. Grant by Thomas Troy to Philip Kepe of a castle and lands in Knocktopher. [April, 1499].

297. Indenture between Thomas, Earl of Ormond, and John Staunton concerning Baron's Inns, Dublin. [August 1, 1499].

298. Copy of an act exempting the Earl of Ormond from the operation of the Act of Resumption. [October 7, 1499].

299. Rentals of the manors of Oughterard, etc. [? *circa* 1500].

300. Deed of attorney by the precentor of St. Patrick's, Dublin, to receive seisin from Sir Peter Butler of land at Donomogan, etc. [June 30, 1500].

301. Deeds concerning the prisage of wines between Waterford and New Ross. [October, 1501-October, 1532].

302. Two episcopal deeds concerning the marriage of James Butler and Sabina Kavanagh. [January, 1501 ; August 8, 1502].

303. Grant by Clement Burgess to Nicholas Bryttoun of a croft in Ross. [January 22, 1501].

304. Indenture between Sir Peter Butler and Donald Mc Craych concerning Balenicaslan in Datone. [July 12, 1501].

305. Will of Alice White. [January 3, 1502].

306. Letters patent of Henry VII granting English law and liberty to William Casshene. [March 18, 1502].

307. Grant by William Fleming to Patrick Whit of land in Carrick-magriffin. [February 17, 1502].

308. Indenture between James White, etc., and Derby Norman concerning property in Waterford. [March 27, 1502].

309. Indenture between the vicars of St. Canice's, Kilkenny, and James Grace concerning Carrystown. [October 12, 1502].

301. Grant by Thomas Prendergast to Nicholas Brytton of a croft in Ross. [December 9, 1502].

311. Indenture between Richard Smyth and the bishop of Ossory concerning Ballyryn, etc. [May 13, 1503].

312. Quit-claim by Maurice, Earl of Desmond, and Sir Peter Butler to all actions, etc., against Thomas Roche. [July 20, 1503].

313. Indenture between Isabella Androw and William Brennagh concerning Androwsland of Caslanneholl. [February 28, 1504].

314. Indenture between John Mothyll and John Hyd concerning Mountgarret in Ross. [April 11, 1504].

315. Inspeximus by the sovereign and council of Kilkenny of a grant by John Rochford to Sir Peter Butler of lands in Balihine, etc. [May, July, 1504 ; January, 1516].

316. Covenant between the Earl of Kildare and Sir Piers Butler regarding the Act of Resumption and prise wines. [April 13, 1504].

317. Grant by Richard Henebre to Sir Peter Butler of Ownynge, Ballihennebre, etc. [July 20, 1504].

318. Letter of Thomas, Earl of Ormond, to Sir Piers Butler. [1505-1510].

319. Treaty between Sir Piers Butler and Cormac Oge MacCarthy of Muskerry. [1505-1515].

320. Indentures between Thomas, Earl of Ormond, and Sir Piers Butler. [July, 1505-July, 1509].

321. Letter of Thomas, Earl of Ormond, appointing Sir Piers Butler seneschal of the liberty of Tipperary. [June 21, 1505].

322. Letter of Gerald, Earl of Kildare, to the mayor of Limerick concerning prise wines. [February 22, 1506].

323. Letters patent of Henry VII granting to Sir Piers Butler two parts of the prise wines of Limerick. [July 28, 1506].

324. Indenture between Nicholas Bryttoun and Margaret Walshe concerning a messuage in Ross. [September 20, 1506].

325. Indenture between James Laules and Walter Butler concerning a messuage in Clonmel. [? March, 1507].

326. Four Keatingstown deeds. [1507-1607].

327. Indenture between Theobald Mac Shean and Richard Roth concerning Clonetourigh. [April 11, 1507].

328. Grant by Richard Sumery to Nicholas Bryttoun of a messuage in Ross. [January 10, 1508].

329. Documents relating to the will of James Butler. [July 3, 1507].

330. Indenture between Nicholas Bryttoun and Patrick Comane concerning messuages in Ross. [July 5, 1507].

331. Deeds relating to the Liberty of Tipperary. [March, 1508-October, 1518].

332. Judgement of the Liberty court of Tipperary concerning the title to a messuage in Carynde. [May 1, 1508].

333. Indenture between the prior of Kilmainham and William Archidekyn, etc., concerning churches in Ossory diocese. [June 16, 1508].

334. Inspeximus by the dean of Waterford of papal letters concerning the marriage of James Butler. [June 23, 1508].

335. Grant by John Benet to Nicholas Britton of a messuage in Ross. [September 3, 1508].

336. Indenture between the dean of St. Canice's, Kilkenny, and Walter Bosshere concerning a messuage in Kilkenny. [October 26, 1508].

337. Writ of Thomas, Earl of Ormond, to the sheriff of the Liberty of Tipperary. [December 10, 1508].

338. Grant by Leticia Dongane to Nicholas Birton of a messuage in Ross. [December 20, 1508].

339. Indenture between Sir Piers Butler and Downyll O'Wologhan concerning mills in Kilkenny. [January 12, 1509].

340. Indenture between Sir Piers Butler and John Bryne concerning a garden in Kilkenny. [January 20, 1509].

341. Grant by Sir Piers Butler to Thomas Butler, baron of Knockgraffon, of lands in Donomagan. [February 14, 1509].

ADDENDA.

342. Unpublished records from the "Irish Privy Council Roll, 16 Richard II."

343. Quit-claim by Reginald de Dundouenald to John Lowys of land in the tenement of Tomlach. [*circa* 1280].

344. Final concord made in the court of Gilbert de Clare at Kilkenny between Eustace le Pouer and Nicholas Maddok concerning the manor of Crannagh. [January, 1311].

345. Grant by Eymon fitzWilliam to Walter le Marche of land near Insnack. [? 1322].

346. Inspeximus of a grant by Robert Calf to John de Cogan of manors in Wales. [June 12, 1326 *or* 1345].

347. Inquisition in the Liberty court of Tipperary concerning the manor of Moyallive. [March, 1338; March, 1594].

348. Inspeximus of the grant of the Liberty of Tipperary and prise wines to James, Earl of Ormond. [November, 1347; January, 1356; April, 1518].

349. Inspeximus of a grant by William Vele to Thomas Kilrane of lands, etc., in Baligauran. [August, 1364; June, 1476].

350. Inspeximus of deeds concerning the descent of the manors of Inchecoyn and Youghal. [October, 1367-May, 1584].

351. A number of deeds relating to the Ormond lands and the Earl's court. [January, 1374-September, 1437].

352. Quit-claim by Margaret, wife of Sir John Cheyne, to Inchecoyn and Youghal. [January 13, 1379].

353. Grant by Henry IV to Thomas Butler, Prior of Kilmainham, of the manors of Oghterard and Castelwarning.
[February 16, 1412].

354. Compotus of the city of Waterford. [1363].

355. Inspeximus of depositions concerning the grant made to the Earls of Ormond out of the fee-farm of Waterford.
[1382-1399; May 4, 1537].

356. Deeds relating to Crompestown. [1377-1544].

ORMOND DEEDS III.

1.

Confirmation (in English) of the municipal liberties of Wexford, by Queen Elizabeth.

" Elizabeth by the grace of God Quene of England, France and Irlande, defendor of the faythe, etc., unto all theme unto whome thies present letters shall come greatinge. We have sene certaine auncient letters patents signide with the greatt Sealle of Irlande and in our Chauncrie of Irlande now exhibitide befor us not cassedd, interlynide, mysusid or in any poynt suspectid, and by commaundment from us after certaine of our Counsaylle and others lernid in the lawes had received theme incertid thear amongest other our rollis verbatim as followithe.

' Henry by the grace of God King of England, France and Lord of Irland, unto all etc., greetinge. We have sene the charter of Adamear de Valentia latte earle of Pembrocke, Lord of Wexford and Mowntacu mad upone the liberties grantide unto the burgesses of Wexford as hit is approved and consigned with his seale in thes words.

' Be hit knowen unto all men by these presents that we Adameare de Valentia of Pembrocke, Lord of Wexford and Mountague, have grantide unto our burgesses of Wexford the liberties under written to have and to hold from us and our heyrs unto them and theyr heyrs and successors for ever.

Item that no burgesse of Wexford be fined or impleaded in our castell or elsewher but in the Hundrid of the said towne, our balives and those which hold by hostladge from us onely excepted.

Item no man slowghter comitid within the said towne be reputid murther.

Item that our said burgesses be fre from bothe lastadge, passadge, pontadge and of all other costomes throughoutt our reallmes of Irland and Walles.

Item that no burgesse of the said towne be finedd upon miskennen.

Item we have grantid further unto our said burgesses and their heyrs that they shall have and hold of us and our heyrs quyett and frely theyr burgadges for ever with all theyr appurtenaunces for the rente which Geffrie fitz Robert first appoyntid viz. the burgadge with his appurtenaunces per annum at xii*d.* to be payed at the feaste of Easter and Michallmas by evin porcions.

And to thend that this oure grante in tyme to come may stand ratified and of effect we have caused this our charter to be coroborated with our seall datede at Radcleve upon Trent the xxvth of July and in the xxiith (*recte* xith) yere of the raigne of Kinge Edward the second befor thies witnesses John L. Hastings, John Pagnell, William Plowdoune, John Padghame, Robert Dendin, Morishe Rushford, John fitz Henry, knights, Steuen Deuerex, Richard Whittye, Patricke Cheuer, Henry Esmond, Thomas, clerk of Ferns, David Borard and many others.'

'We therfor [Henry V] the said charter and all the contents thereof doth ratifie and doth for us and our heyrs so far as in us lyeth by the advice of our welbeloved brother in Criste Thomas Buttler, pryor Hospitalle of St. John Jerusaleme in Irland, Deputie to our deare brother Thomas Lancaster, Seneschall of England, Lieutenant of our Rellme of Irland, and at the request of our welbeloved Cattrine of Ormound auntt unto the said Deputie ratified grant and continue the said charter.'"

[July 25, 1318].

[April-September, 1413].

[1559].

Note.—The charter of Liberties granted to the burgesses of Wexford by Aymer de Valence, Earl of Pembroke, is printed in the original latin in *Chartae, Privilegia et Immunitates* (p. 47). It is there dated as 25 *Julii undecimo* E. II, *E Rot. Pat.* 1 Eliz. M. 18*d.*

The *Inspeximus* above in English (Elizabeth) does not make too faithful a version of the original. The *Inspeximus* of De Valence's charter made under Henry V is undated, but the words 'our brother,' applied to Thomas of Lancaster, give us an approximate date. Henry V ascended the throne on March 21, 1413 [N.S.]. His brother, Thomas of Lancaster, was acting as Lieutenant of Ireland till September of that year. The date therefore may be put between April and September, 1413.

2.

John Wyndesore, esquire (*armiger*), gives and grants to Arthur Ormesby, esquire, all his messuages, lands, rents, tenements, waters, mills, suits of court of free tenants, wardships, marriages, reliefs and estreats which he has in the barony of Inchecoynge in Youghill or elsewhere in Ireland. To have and to hold to him and his heirs of the chief lords of the fee by the services due and accustomed.

Witnesses: John Corve, Robert Charyngworth, John Crooks, John Holm and Adam Stakeboll.

Given on the 12th day of April in the 1st year of Henry V.

April 12, 1413. Seal perfect.

3.

Liberties of the town of Youghal. (Text in latin).

James le Botiller, Earl of Ormond, Lord of the Liberty of Tipperary, and Lord of the Barony of Innescoyne and the town of Youghal, to all seneschals, bailiffs, serjeants and sub-serjeants, and all deputies and ministers of his in the said barony, greeting.

The Earl grants for himself and his heirs to his burgesses of Youghal " that they and their successors shall have and hold the said town with all their lands and tenements within and without their farm [interlineated: in ways, paths, moors, marshes, woods, etc., passage, tolls (*thelonagium*) and all other commodities whatsoever to the fee-farm belonging] for ten marks of us, our heirs and assigns for ever, to be paid yearly in two portions at Easter and Michaelmas for ever. And they and their heirs and successors shall have all liberties and free customs which follow [interlineated: they shall be free throughout the whole barony and manor aforesaid, even throughout our whole lordship and power in county Cork] viz. that they shall choose each year at Michaelmas a suitable and sufficient burgess to occupy the office of Reeve (*officium prepositure*) in the said town, and that the reeve who shall be so chosen shall take oath before him who preceded him in that office or before the burgesses who are or shall be suitors of the court of the said town in the Tolsel (Tolsild') of the same, without his having to appear out of the town of Youghal before our Seneschal or any deputy of his in the above barony. Also

the Hundred [court] of the town shall be held before the Reeve once every fortnight in the Tolsel there. Also the Reeve may occupy the said office by himself or a sufficient deputy by the assent of the burgesses. Also we grant that no burgess shall be drawn to answer in any plea before any Seneschal of ours in the above barony, but only before the reeve in the Tolsel. Also the burgesses shall be as free throughout our said barony and even all our whole lordship in Ireland as the burgesses of Clonmel or Kilkenny or any other burgesses of Munster or Leinster are.

Also the burgesses may freely contract marriage for themselves, their sons, daughters and widows without any licence necessary from us, our heirs, etc., unless they hold of some extern tenement of us in chief outside the borough of Youghal. Also they may give, sell or pledge all their purchases (*conquestus suos*) in the town and suburbs of the same, at their will, saving only to men of religion and enemies or rebels of the lord King. Also they may freely dispose of all their tenures within and without the walls of the said town at their will in messuages, gardens (*virgultis*), houses on the river and wherever elsewhere they be, in free burgage as abovesaid. Also they shall not be summoned, called or in any way vexed, to appear at musterings (*mustrizonas*), parliaments (*parliamenta*) or other conventions whatsoever before any deputy or seneschal or any other ministers of ours in the above barony outside the town of Youghal.

Also the burgesses shall have from us and our heirs for ever for the relief, maintenance and fortification (*relevacionem, sustentacionem, fortificacionem*) of the said town, all forfeitures and escheats which in any way are due to us and our successors by reason of our lordship in the town of Youghal in the same, on account of the divers losses and dangers (*propter diversa dampna pericula et incomoda*) which by invasions and attacks of the enemies and rebels of our Lord the King the said burgesses there have endured and do daily endure, so that the lieges of our Lord the King the more willingly (*tanto avidius*) may thither resort and foregather (*confluant et accedant*)."

[A cross has been drawn through all the text from "also the burgesses shall be as free throughout our said barony," etc., to "by reason of our lordship in the town of Youghal"].

"Also of our more special grace to the said burgesses and their successors of us and our heirs and successors for ever, considering

the complaint of the said burgesses how that their town from of old and ever up to this time has been for the greater part maintained and sustained by merchants both natives and foreign there coming and residing and exhibiting their divers merchandise, but that they have been by undue taxes, impositions and cessings (*taxaciones imposiciones et assessiones*) of divers tallages and other intolerable burdens laid upon them, both burgesses and merchants, for their merchandise by divers persons dwelling in the adjacent country (*per diversos patrie adiacentes*) most unjustly (*minus rite et voluntarie*) burdened ; on which account they have left the said town for the greater part desolate and refuse to come there with their merchandise and wares, to the destruction and desolation of the said town ; therefore we wish and firmly enjoin upon all and singular our deputies, seneschals, officers, etc., of our said barony that the above-said burgesses, their heirs and successors, or merchants who are there now or at any time may be, shall be quit and totally discharged of all these taxes from henceforth and for ever by these presents. We command also all and singular our deputies, seneschals, serjeants and all our officers of the said Barony by the tenour of these presents that they shall permit the said our burgesses and community of our town of Youghal to freely use and enjoy these said liberties.

In witness whereof we have had these our letters patent made.

Witness myself at Clonmel on the 24th day of May in the first (line drawn through and VIII° substituted) year of Henry V."

(Added in margin : " We have also granted to the sovereign and burgesses of the said town who now are or shall be, the right to receive the fines and amercements of our Hundred courts of the said town from our reeves who now are there or shall be, by indenture to be made between the sovereign and the reeve from year to year, to be expended in reparation and fortification of the walls ; also all forfeitures, escheats, etc., which at any time may befall, etc.")

May 24, 1413, *or* 1420.

Note : This interesting and curious document has no seal attached. A portion of the wording is lightly crossed through, as if meant to be erased. The year " primo " in text is also erased and " VIII° " substituted. I find no other evidence for a grant of civic liberties to Youghal at this date. *Chartae*

Privilegia et Immunitates (Irish Record Commission, 1889, p. 70) has a grant by Edward III, July 4, 1375, *pro superiore mercatoribus et communitate Ville de Yoghill.* The "Council Book of the Corporation of Youghal" 1610–1800, (edited R. Caulfield) begins with "Annals" or early notices of the town's history (pp. xxv–lxiv); among these are a murage grant by Edward III in July 18, 1358, to the sovereign of Youghal, and four other grants of this King, also several of Richard II, Henry IV and later monarchs, but our charter above is neither given or mentioned.

James, Earl of Ormond, who witnesses the grant, was Lord Lieutenant from February 10, 1420, to the spring of 1422. If this grant of liberties was made in a later year (8 Henry V) he was then testing as Lord Lieutenant.

The manor and castle of Inchiquin (Innescoyn, Inchecoygne, etc.) lie four miles south-west of Youghal.

4.

Philip Kylby grants to Walter Marcos, chaplain, and William Cantewell, chaplain, two messuages in Kilkenny lying from the high street to the tenement formerly belonging to Robert de la Freigne, knight, in 'Seyntiamestret' in which Agnes, formerly wife of John Lychfeyld, dwells, and in width from St. James' street to the house of James son of Richard (? : *torn*) Brysbon; also seven acres of arable in the borough of the said town, to have and to hold to them and their heirs of the chief lords of the fee.

June, 1413.

5

Letters patent in French of William Bourgchier, knight, appointing Thomas Laurence and William Sadeler his attorneys, to grant and let to farm, etc., all lands, farms and other emoluments belonging to him of the dower of Anne, countess of Stafford, his wife (*compaigne*), in Ireland.

Given on the 27th day of August in the 1st year of Henry V.

August 27, 1413.

6

Indenture between Thomas Laurence and William Sadeler, attorneys of William Bourgchier, knight, on one part and James,

Earl of Ormond, on the other, witnesses that Thomas Laurence and William Sadeler in virtue of a certain letter of attorney made to them by Sir William Bourgchier have set and to farm let to the said Earl all lands and tenements, rents, pensions and services of all tenements belonging to the said William Bourgchier and Anne, countess of Stafford, his wife, in Ireland, by dower of the said Anne.

To have and to hold to the Earl for the term of two years, rendering yearly in said William Bourgchier's hospice at London twelve pounds sterling ; provided always that if the Lord King shall raise any part of the two-thirds of lands and tenements in virtue of the statute of Ireland on account of the absence of the said William, then the latter shall acquit the Earl of the same.

Witnesses : John Clyne, mayor of Bristol, John Sherp, sheriff of the same, Thomas Hendy and William Barrette, bailiffs, and John Fisher.

September 6, 1413.

7

Two Deeds.

1) John Ballaht gives and grants to Patrick Cotterell and Philip son of John Row all his messuages, lands, tenements, rents and services in Insnak, Stamkarthy and Boly near Insnak, which formerly belonged to Philip Row, grantor's ancestor.

Given on Friday next before St. Nicholas' day in the 1st year of Henry V.

December 1, 1413. Seal perfect.

2) John Ballaht quit-claims to Patrick Coterell and Philip fitz John Row all his right in all messuages, lands, tenements, rents and services in Insnak, Stamkarthy and Boli near Insnak.

Given on Monday next before the feast of St. Nicholas in the 1st year of Henry V.

December 4, 1413. Seal perfect.

8

Indenture in French between James, Earl of Ormond, and Thomas Harbrig witnesses that whereas the Earl has appointed Thomas constable of his castle of Cloncurry and seneschal of his

barony of Oghteryn and of his lordships of Donaghda and Castelwarnynge at a fee of a hundred shillings yearly, with eighty-two acres of land of the Earl's demesnes for the term of his life, as in the letters patent of the Earl more fully appears, the Earl grants that Thomas may have twelve archers at the Earl's costs for the year next coming beginning with the feast of Easter, and then having as many archers as shall seem good to the Earl and his council. In witness whereof both parties have interchangeably set their seals.

Given on the 7th day of March in the 1st year of Henry V.

March 7, 1414. Harbrig seal perfect.

9

Agreement in latin, made on Monday before Easter in the 2nd year of Henry V between James, Earl of Ormond, and Robert son of Walter Cantewell, witnesses that the said Earl has granted to Robert one mark silver in each year for a term of ten years beginning with Michaelmas next, of those forty shillings which the Earl has on Balisallagh in the barony of Overk in chief rent. And if the Earl and Robert at the end of said term are not in agreement about the rent then it shall be allowed to the tenants of the said town of Balisallagh to depart without claim on the part of the Earl by reason of chief rent or arrears. Also the Earl and Robert have agreed about the town of Newtown in Overk thus, viz. that the Earl and Robert agree to rebuild the said town and place tenants there with all the speed they may ; the two to have each a moiety of the chief rents and services therefrom. In witness whereof both parties have interchangeably set their seals.

April 2, 1414. Seal of Robert Cantewell.

10

Henry Stanihurst, deputy of Ralph Standyssh, escheator and clerk of the King's market of measures and weights in Ireland, admits receipt from William fitz Geraud and Patrick Coterell of 46*s.* 8*d.* silver in which William and Patrick were bound to him by certain indentures made between him and them for the office of clerk of markets in county Kilkenny.

November 17, 1414.

11

Indenture made between James le Botiller, Earl of Ormond, and William Loge witnesses that the Earl has granted and to farm let to William all the messuages, demesnes and lands of his manor of Torvey which William . . . formerly held at farm of said Earl together with a stock of fourteen farm beasts (*affris*) each worth six shillings, three cows, three bullocks (*boviculis*), three calves, each worth forty pence (?) and eight sheep each worth six pence ; of which demesnes, etc., two parts are sown (*seisone*), one in wheat and one in oats. To have and to hold to William together with the customs of works (*custumis operum*) of the Earl's men and tenants there, for the term of twelve years, rendering to the Earl, his heirs and assigns twenty-eight crannocks of wheat and twenty-eight crannocks of oats well cleaned and fanned by common measure of the city of Dublin each year at each feast of the Purification of the B.V.M.

February 6, 1415. Seal.

12

William Barret and Margaret Hayllisberry quit-claim for themselves and their heirs for ever to John son of Richard son of David de Sancto Albino all their right in eleven acres of land in the tenement of Old Coillagh.

Witnesses : William Coterell of Callan, Philip Whit and Adam fitzLaurence Tobin.

May 12, 1415. Two seals.

13

Maurice son of (? Nicholas) son of John son of David de Bathe and right heir of John son of Stephen son of David de Bathe quit-claims to Richard fitz Walter Prout, his heirs and assigns all grantor's right in twenty acres of land which formerly belonged to Nicholas (?) son of Philip son of Stephen de Bathe near ' le Cordyre ' in the tenement of Haghbyllyr in the barony of Knocktopher.

Witnesses : John Howell McGriffyn, Henry Rothe, William son of John Rothe, Richard son of Walter Pourcell and William Ryse.

September 8, 1415.

14

Rental of chief rents of Kylcron made on Thursday next after Michaelmas in the 3rd year of Henry V by the following jurors.

Maurice Waddyng, John Philpotesson, David Lesagh Walsch, Richard Eilward, John Boye, Thomas Boye, Robert Taillour, Shane Rothe, Thomas Henrekesson, Richard Carragh, David Graunte, John Eynon ; who say that Redmund Datoun holds Ballykerroull and pays therefor *ad terminum* 18*s*. 6*d*. and suit of court every fortnight at the court of Kylcron, and 20*s*. of royal service when it happens.

John Eynon holds Mylwardeston at 9*d*. rent and suit of court as above.

Walter Cantewell holds Henry Mcgyllekerreston at 10*d*. and suit of court as above.

The Earl of Ormond holds Cnoknyrmoill in the lordship of Grenagh and pays 12*d*. and suit of court as above.

Geoffrey de la Frenge pays for Ballymontyn 16*s*. and suit of court as above.

He also pays for Gortyndressagh 2*s*. and suit of court.

John fitz Andrewe pays for Gortynshowe near Kylbecoke 19*d*.

Walter fitz William pays 5*s*. for Fayghcroman near Slewcron and suit of court.

Richard son of Geoffrey Walsch and Walter Cantewell pay for Cnokdekkede 19*d*. and suit of court.

Richard Eilward pays 2*s*. 6*d*. for Glansilleghyn in the parish of Kylmehaoke and suit of court as above, and 10*s*. royal service when it happens.

William Bronket 2*s*. 6*d*. for Kylbride and suit of court.

Henry Hode 2*s*. 6*d*. for Clonkechyn and suit of court and 10*s*. royal service.

David Graunte 3*d*. for Corlodyn and suit of court and 40*d*. royal service.

David Kelagh pays for Ballymckede suit of court and 10*s*. royal service when it happens, and of it Moygobban pays 16*s*.

Also Kylbrede between Kyllagh and Henreston 2*s* ; Ballytober which is in the woodland (*in virgulto*) near Kyllagh 2*s*. ; and McKedeston 6*s*. 8*d*.

Corbally near Rasanan was wont to render 10*s.* royal service when it happened. Now nothing because in the lord's hand.
Total of chief rents for the term, 58*s.* 2*d.*; and royal services 3*l.* 3*s.* 4*d.*

Rental of the demesnes of Kylcron *ad terminum* namely

the moiety of Kylcron	6*s.* 8*d.*
John Boye for Bennesrath, ditto	6*s.* 8*d.*
Shane Roth for Ballykhoan, ditto	13*s.* 4*d.*
Thomas Boye for Dirbousagh, ditto	40*d.*
Thomas Hanrekesson for Gragetohas, ditto ...	6*s.*
John Philpotesson for Molinbroo, ditto	10*s.*
Anastasia, widow, for Wylton and Lesdargan, ditto	6*s.* 8*d.*
Total	52*s.* 8*d.*

These are waste towns of the same lordship. Mylton, Kylpipe, Corbally, Clonaghroth, Gragedrangan.

Gilbert Forest holds Balymag . . . at the will of the Lord, and pays	3*s.* 4*d.*
Richard Milis renders at lease of chief rent ...	10*d.*
The heir of Shot near Eccan [?] renders 12*d.* royal service when it happens.	
Total of rents *ad terminum*	4*s.* 2*d.*
Total of royal service	12*d.*
Total of services and chief rents as of gavellers there at lease	5*l.* 15*s.*

From Dengennespidoge at lease of chief rent ...	9*s.*
From Cnoclekan (?) Slegh at lease	7*d.*
Slesdroghyn (?)	8*s.*
Ballygarran at lease	40*d.*
Coulnecoppoke at lease	—

(The skin here becomes illegible).
October 3, 1415.

15.

Letters patent of Henry V.

'Whereas Patrick Baret, late bishop of Ferns, by his deed under his seal gave and granted to Patrick Coterell and John

Newe all his goods movable and immovable, to have and to hold to them and their heirs for ever, in virtue of which deed they stood possessed of the same goods, until one Thomas Moyn, by pretext of a commission made to him from our Exchequer of Ireland, claimed to take them into our hands on account of debts and accounts due from the Bishop—we, of our special grace by assent of our faithful John Talbot of Halomshire, knight, our Lieutenant in Ireland, and our Council there, have given leave and power to said Patrick and John to have, occupy and enjoy the said goods, without impediment by us, our heirs, officers or ministers, etc., notwithstanding any title of ours to the same. We have also pardoned and released to Patrick and John all intrusions, contempts, offences, alienations without royal leave, negligences of suits, erroneous suits, undue liveries, etc., in the lands and tenements of Mountgarret in county Wexford and in Kylry in county Kilkenny or any parcel thereof, made by them or either of them or any tenant, occupier or farmer of the same up to this time. Also we have pardoned all debts, accounts, arrears of accounts, fines, issues, profits and amercements whatsoever due to us by the late Bishop as well as by the said Patrick and John.

In witness whereof we have had these our letters patent made.

Teste the aforesaid Lieutenant at Dublin on the 16th day of January in the 3rd year of our reign.'

January 16, 1416. *Per peticionem per ipsum locum tenentem et concilium indorsatam et privato sigillo suo consignatam* Sutton.

Dorso : Irrotulat' in rotulis memor. Scacc. domini Regis Hibern. de anno regni Regis Henrici quinti sexto Mich. record.

16.

Richard fitz Walter Prout quit-claims to William son of Philip Gibbow and his heirs for ever all his right in nine and a half acres of land in Denghinmore and Rathlugge.

Given on the 22nd day of January in the 3rd year of Henry V.

January 22, 1416. Seal.

17.

Indenture made between James, Earl of Ormond, on one part and William Archer, ' carpender,' and Robert Waryn on the other attests that the Earl has let to farm to William and Robert two stone mills in the town of Kilkenny which are called ' le ston myllys ' together with a water-course there which belongs to the stone mills. To have and to hold for the term of ten years, rendering yearly to the Earl eleven marks silver and sustaining the said mills " styffe and staunche." The Earl also grants them full power to have timber out of his woods for repairing said mills during the above term.

April 14, 1416. Two seals.

18.

Nicholas Ponxe quit-claims to Walter Stantoun, chaplain, his heirs and assigns for ever all his right in all his lands and tenements in Kylfane which Walter had of his gift and enfeoffment.

Given on the 18th day of April in the 4th year of Henry V.
April 18, 1416.

19.

Patricia Cantewell and Johanna Cantewell, daughters and heirs of John Roth Cantewell, give and grant to Henry Forstall, all lands and tenements, pastures, etc., in ' le lytilramynduff ' in the parish of Ballagh[mich ?]ow in Sillr ' (? Shillelogher). To have and to hold to him and his heirs for ever.

Witnesses: John Baron Grasse, Robert Shorthals, Thomas fitz John, Oliver fitz Eustace Grase and Patrick Sleger.

Given at Ramynduff on Sunday next after the feast of SS. Philip and James, apostles, in the 4th year of Henry V.

May 3, 1416.

20.

Maurice Woulfe son and heir of Thomas Woulfe quit-claims to Richard Sparke all his right in one messuage in ' le Bothestret ' of Ross, which messuage lies from the King's way on the east to

the river Barrow in length, and in breadth between Nicholas Aunger's land on the north and David Woryt's land on the south. This messuage Richard had of the gift and enfeoffment of Thomas Woulfe, grantor's father.

May 18, 1416.

21.

Richard Walsche and Philip Walsche, chaplains, to all etc., greeting. Although our heirs and assigns are seised and enfeoffed by John son of William Casse and Hugh Casse, their heirs and assigns, in a stone house and all other messuages, lands, rents and tenements together with a rabbit warren, meadows, moors, thickets and pastures in Rathsowagh and Lysdowf in the town of Thurles in county Tipperary for ever, nevertheless we wish and grant by these presents that whenever said John and Hugh, their heirs and assigns shall have paid to us our heirs or assigns in one day twenty-four marks silver of good and lawful money, they their heirs or assigns may freely, quietly and without contradiction of us our heirs, etc., enter upon possession of said house, etc., as aforesaid and enjoy them peacefully and for ever.

Given at Burgaghleagh [? Borrisoleigh] on the 24th day of July in the 4th year of Henry V.

July 24, 1416.

22.

Four Deeds.

1) Alice Archer and Simon MacCarrowyll, her son, grant to Richard O'Hedyane, Archbishop of Cashel, three tenements, one orchard, thirty-nine acres of arable, one of meadow and one of rabbit-warren in the tenement of Rathsax which is now called Gybeston in the cantred (*candreda*) of Elyoffogyrthe and in the lordship of Burgageleyth, to have and to hold to him and his heirs.

Given at Ballybege on Monday before St. Luke's day in the 4th year of Henry V.

October 12, 1416.

2) Alice Archer and Simon MacCarrowyll appoint William Rolleck their bailiff to place Richard O'Hedyane in seisin as above.

Same date.

3) Henry son of John Archer grants to Sir Philip Walsch and Sir Richard Walsch, chaplains, all grantor's lands, messuages, rents and tenements in Rathsax now called Gibbeston, and in Laghircane together with homages and services of all free tenants belonging to the said lands.

Given at Clonmel on St. George's day in the 5th year of Henry V.

April 23, 1417.

4) Henry son of John Archer appoints Henry Flemyng, chaplain, his attorney to place the above in seisin.
Same date.

23.

Pleas held in the County (court) of the Liberty of Tipperary before Oliver Comyn, Sheriff of the Liberty, at Crumpstown on Wednesday next after the feast of SS. Peter and Paul in the 5th year of Henry V.

[Freeholders owing suit of court].

Earl of March	Earl of Kildare
Earl of Desmond	Lord of Kylten and Knockgraffon.
Walter de Burgo	McHode.

The court is held again in the same place before the same sheriff on Wednesday next before the feast of St. Laurence, on Wednesday before the feast of the Nativity of the B.V.M., and on Wednesday next before the feast of SS. Simon and Jude in the 5th year of Henry V [September and October, 1417).

The cases, eight in number, are all pleas of debt or trespass. The names concerned are John Mauclerk, John son of Maurice Bretnagh, Henry O'Murgho, Thomas Colbert, William Rothe O'Murgho, William Haket, John Meyler of Balliclerchan, Philip Munkot of Fyth, Walter Cadegan, Philip O'Murny, vicar of Kilsheelan, Thomas O'Murny, vicar of Rathgoll (defunct), and David O'Kennedy.

June–October, 1417.

24.

Deed of Thomas Butler, Prior of Kilmainham, regarding the Barony of Kells.

" Behit in mynd y^{at} (*obliterated*) of me Thomas Botiller Priour of Kylmaynane my will is y^{at} as touchyng y^{e} Barony of Kenlis y^{at} Sir William Venge and Sir Richard Kiappagh make a taylle (*obliterated*) partenaunces y^{at} longeth there to Emond fitz Thomas Botiller my son and to his issues males of his body comyng and yif he dey withoutyn issu male, etc., alle remeyn after him to Richard fitz Thomas Botiller my son and to his issues males of his body comyng and yif Richard dey withoutyn issu male of his body comyng than alle y^{at} remeyne to John son of Thomas Botiller my son and to his issues males of his body comyng and yif John dey withoutyn issu male, etc., than y^{at} alle remeyne to Tybot fitzThomas Botiller and to his issues males etc. and yif Tybot dey withoutyn issu male etc. than y^{t} alle remeyne to Thomas fitzThomas Botiller and to y^{e} issues males of his body etc. and yif Thomas dey withoutyn issu male etc. y^{at} than aftir y^{e} deces of Emond, Richard, John, Tybot, Thomas and y^{e} issues males of har bodyes comyng y^{at} all y^{e} foresaid Barony with y^{e} partenaunce remeyn to y^{e} rightfull heres of James fitzJames Botiller, Erle of Ormound, and to his heyres and assigneys for ever more. And also as touchyng y^{e} Grenan Thomastoun, Largerath ye whoche Richard Prout and John Hakelet beth sessid therin my will is y^{at} they make a taile to thos forsaiden persons in y^{e} same manor and forme as hit is forspoke of Kenlis etc. and of that Barony etc. Also touchyng y^{e} manours of Knocgraffane and Kyltevenan with all har partenaunces y^{e} whoche Davy Vale and Morice O'Cograne be y^{e} enfeffes my will is that they make a taille to y^{e} same persons in maner and forme as is of Kenlis. Also as touchyng Ballyduffe and y^{e} Annaghis y^{e} manour of Ballitarstyn and Rathcon and . . . lace of Kilkenny that y^{e} enfeffees of it make a taille etc. (*ut supra*) as of Kenlis. Also my will is y^{at} Sir Robert Howe and Geffrey Baroun y^{e} enfeffees of Cloghrane make a taille to y^{e} forsaid persons in maner etc. as is forsaid of Kenlis. Also my will is y^{at} Tampilethene and Lyssnetybrid be anexit to Kyltevenane til hy be yquytte. Also we woll y^{at} Kyldenayll Creyeston and Cnokkan Glasse be y

makyt to Emond and all othirs in y^e^ forme forsaide. [All this sentence is inserted in a new hand]. Also my will is that as touchyng y^e^ manours of Blenlyne and Kyldras with all har partenaunces of y^e^ whoche Richard Vale and Sir Geffrey Baroun beth enfeffees therof y^at^ they make a taylle to John fitzThomas Botiller my son and to his issues males etc. and yif John dey withoutyn issu male etc. y^at^ than all y^e^ forsaid manours remeyn to Emond fitz Thomas my son and to his issues males etc." (And so successively to Richard, Tybot and Thomas as above, and if they all die without heirs male of their bodies, then to the rightful heirs of James son of James le Botiller, Earl of Ormond). " Also as touchynge y^e^ manours of Dengynspydog, Cassillarell (Feymolane inserted) and Donmore in y^e^ countie of Waterford my will is y^at^ y^e^ enfeffees make a taylle to thos forsaid persons next befor in manor, etc., as the taile if Blenlyn and Kildras is ordeygnet to be y makit. This my forsaid will was in this maner declarit by this present lettre at Callan y^e^ ix day of Julii y^e^ yere of Kyng Henry y^e^ fift y^e^ (? v) yere. Alle so we woll that y^e^ maner of Kylcron wyth all y^e^ villages and all har appertenaunces be y taillit to Jon fitz Thomas le Botiller, militis, and to alle othirs (*torn away*)."

July 9, 1417.

[The year is a little obscure. Thomas Butler was Prior of Kilmainham from 1403 to 1418 or 1419. Nothing is said in the above as to whether Prior Thomas is acting as deputy-Governor of Ireland. As the year Henry V is almost obliterated, it is possible that the year is 1 Henry V, for the Prior was then acting as Deputy to Thomas of Lancaster, Lord Lieutenant, from March 1409 to September 1413].

25.

Depositions taken before James Howling de Monte, clerk of Ossory diocese, by sacred, apostolic and imperial authority public notary, viz. that on the 5th day of January in the year MCCCCXVII, before him and other witnesses, John Archedekyn, layman, brought forward witnesses on the point below, viz. that one Thomas Manyn sold a particular piece of land at Nywhous to Richard Archedekyn, captain of his nation, and to his heirs

for ever. Margaret 'Edmundi' being sworn deposes that she was present at the time of the conveyance of a palfrey as price of the land; the place being the house of said Richard. Ellena Wynchedon, Donatus O'Tothe, Patrick Archedekyn and John *alias* Hoyn McKegohe 'camerarius archd.,' attest to the truth of the point, giving as reasons for their knowledge that they were present in person and heard the contract as in the article and the payment of the price. Considering therefore the petition of above John to be just, he has written this instrument with his own hand. In testimony whereof are present Dionisius Kevanagh, 'monacus,' Thomas Howling, John Donachow, chaplains, Taked Dole, Nicholas Howling, laymen, and others.

Notarial declaration and sign.

January 5, 1418.

26.

John Mothill appoints Laurence Bryttoun his attorney for placing Patrick son of Walter Coterell in seisin of all messuages, lands and tenements which grantor has in the county Kilkenny, to him and his heirs for ever.

Given at Easter in the 6th year of Henry V.

March 27, 1418.

27.

Thomas de la Hyde, chaplain, grants to John Sower, Henry Whytby, John Cradok and Reginald Spenser, chaplains, all messuages, lands, tenements, etc., in Clarelleston, Westhylton, Clonneslond, Curragh and Mynnaghtiston. To have and to hold to them and their heirs and assigns of the chief lords of the fee by the services due and accustomed.

Given on Monday next after Easter in the 6th year of Henry V.

March 28, 1418. Portion of seal.

28.

An indenture witnessing that James, Earl of Ormond, has set and to farm let to John Harbrok and David Constall of Ireland a certain empty plot (*placea*) called 'Whitstongrounde' near Rosbercon in county Kilkenny, with a rabbit-warren adjacent. To have and to hold to John and David, their executors and

assigns, from Pentecost next for the term of thirty years. Rendering yearly to the Earl six shillings and eight pence, and keeping the houses and edifices in good order.

Given at Rosbercon on the 1st day of April in the 6th year of Henry V.

April 1, 1418.

29.

David Walsh (Valensis), burgess of Ross, quit-claims to Andrew Furlang and his heirs all his right in a messuage in Ross.

Given on the 2nd day of June in the 6th year of Henry V.

June 2, 1418.

30.

John Burdevile, chaplain, admits himself before Thomas Shorthals, mayor of the Staple of the city of Dublin, and Richard Boin and William Heyford, constables of the same staple, by the statute of the staple, to be bound to John Leder, merchant of Coventry, Thomas Shorthals citizen of Dublin, John Haddesore, merchant, and Robert Mescaill, merchant, in forty-two pounds silver for . . . purchased and received from the same.

Given in the said staple on the 4th day of July, in the 6th year of Henry V.

July 4, 1418.

31.

Richard Mayllard gives and grants to Thomas Devenyss a messuage with a garden and ten acres of land and three stangs of arable in the tenement of Oldcoyllagh, which lies between the messuage of John Rekyll on one hand and the messuage formerly Peter Brown's on the other, and three acres and three stangs lie in the field called ' Tybirrysfeld,' and two acres lie in (*torn*) and one lies in ' Tybyrbrene,' and one acre lies at the ford of Clonsyd and three lie at (*torn*). To have and to hold to him and his heirs of the chief lords of the fee.

Given at Oldcoyllagh on Saturday next before the feast of St. James, apostle, in the 6th year of Henry V.

Witnesses : John Whit of Callan, Adam fitzLaurence Tobyn, John Rekill, Walter Shethe and David Kreg.

July 23, 1418. Seal.

32.

Five Deeds.

1) William son of James Legrow, kinsman and heir of Robert Legrow, late citizen of Waterford, gives and grants to John son of Richard White, citizen of the same, all lands, rents and tenements which have descended to grantor by death of the above Robert in Rathmolan and elsewhere in county Waterford, to hold to him and his heirs in fee and heritage for ever of the chief lords of the fee.

Given on Monday next after the Epiphany in the 6th year of Henry V.

Witnesses: Nicholas son of John Hollum, then mayor of Waterford, Richard Barry and William Russell, then bailiffs of the same, Peter Rys and William son of William Lyncoll.

January 9, 1419. Seal perfect.

2) William son of James Legrow, etc., appoints Thomas fitz Gerauld, Robert Meyson and William Poer his attorneys for placing John son of Richard (White) in full seisin in Rathmolan, etc., as above.

Same date.

3) William son of James Legrowe, cousin and heir of Robert Legrowe, late citizen of Waterford, appoints Thomas Whytfeld and John Fraunceys his attorneys for placing John son of Richard Whyte in full seisin of all lands, rents and tenements, together with the reversion of all tenants holding at lease or in fee-tail or for a term of years in any way by the said Robert granted ; which descended to grantor in county Waterford and the suburbs of the city there by reason of said Robert's death.

To have and to hold to him and his heirs of the chief lords of the fee.

Same date. Seal.

4) John son of Richard White appoints Nicholas Patryke his attorney for receiving in his name seisin of all lands, rents and tenements in Rathmolan and elsewhere as above.

Same date. Seal perfect.

5) Quit-claim by William son of James Legrow to John son of Richard White, as above.

January 23, 1419. Seal.

33.

Nicholas Durry grants to John son of Richard son of David Tobyne all his messuages, lands and tenements in the borough of Kylamery in county Kilkenny, to have and to hold to him and his heirs for ever.

Witnesses: Richard Purcell, William Botiller, Walter Howell, John Joke, Thomas Brennan, William Maii and Thomas Benet.

July 20, 1419. Seal.

34.

Maurice son of Eustace Roche admits himself bound to James Botyller and the sovereign and community of Youghal in seventeen shillings and six pence silver, to be paid to the same at the feast of Christmas next after the present date.

Given on the 16th day of October in the 7th year of Henry V.

October 16, 1419. Seal.

35.

Services of the Lord King in county Kilkenny.

Seven knight's fees in Overke, Hidaa and Barcowne	xiiii*l.*	
A half knight's fee in Loghran and Killaugh and Rosseynan		xx*s.*
A knight's fee and a half and a fourth part in the town of Knoctofyr and Newtown Jerpoint	iii*l.*	x*s.*
Karedietne (?) fee of one knight in Killamery		xx*s.*
A fourth part of one knight's fee in Archerston		x*s.*
,, fourth part of one fee in Losdounthy .		x*s.*
,, fourth part of one fee in Kilferagh .		x*s.*
,, moiety and a fourth of one knight's fee in the Newtown of Erley . . .		xxx*s.*
,, fourth part of one knight's fee in Rathcolby		x*s.*
,, fourth part of one knight's fee in Mallardeston		x*s.*

A fourth part of one knight's fee in Rathduffe near Callan . . . . xs.
,, half knight's fee in Kiltravyne . . xxs.
,, half knight's fee in Inchiolleaghne . . xxs.
Four knight's fees in Ballygowran . . viii*l.*
One fee, a half, and a third part of a fee in Coulcassyn . . . . lxxiiis. iiii*d.*
A fourth part of a fee in Slewyn . . xs.
,, fourth part and an eighth part of a fee in Laghartagh and Carrig . . . xvs.
,, tenth part of a fee in Ballyfranke . . iiiis.
,, tenth part of a fee in Coulbaly . . iiiis.
One knight's fee and a half in Kenlis . iii*l.*
,, knight's fee in Dungarvan . . xls.
Two knight's fees in Aghtoyr . . llll*l.*
One knight's fee in Disert Oloston . . xls.
A half knight's fee in Gortynegrosse . . xxs.
,, tenth part of a knight's fee in Killerne . iiiis.
One knight's fee and a half in Ogenti and elsewhere which McKoade and Dena (*sic*) and their parceners (*participes*) hold . . iii*l.*
A fourth part of a fee in Rathell . . xs.
,, half knight's fee in Cnokneweygh and Tyrmesky xxs.
,, fourth part of a fee in Glascro, of which a half part is assigned to Thomas Herbryg xs.
A fourth part of a fee in Aghinyrle . . xs.
,, fourth part of a fee in Baligenane . . xs.
,, half and a fourth part of a fee in Tubbryde xxxs.
Two knight's fees in Rathdowny . . iiii*l.*
One knight's fee and three parts in Cloncoffrane and Rathbeagh . . iii*l.* xs.
A twentieth part of a fee in Aghmacart and Brotsony . . . . iis.
,, twelfth part of a fee in Killydowyll . iiis. iiii*d.*
,, half knight's fee in Tyllaghanbroge . xxs.
One knight's fee in Rosconyll . . xls.
A half knight's fee in Cloghmanagh . . xxs.
,, fourth part of a fee in Tillaghroane . xs.
,, fourth part of a fee in Tirskeffe and Tyrstolan xs.
,, half a fee in Ballylorcane and Dromdelligyn xxs.

Three parts of a knight's fee in Killmekar and Ballygaahyn	xxxs.		
A knight's fee in Dunmore . . .	xls.		
,, knight's fee in Mothill . . .	xls.		
Summa	lxxix*l.*	vs.	viii*d.*

Copy of a certain inquisition.

Inquisition taken at Corbaliesford before Patrick White, the King's Escheator, on Tuesday in the feast of St. Brendan, Abbot, in the 7th year of Henry V [November 29, 1419] by the subscribed; viz. about parcels of royal service divided between the Barony of Knocktopher and the Newtown of Jerpoint, by John Prout, Richard Prout, Henry Datoun, Thomas Shorthale, John Richmane, John Howell, Oliver Roch, Richard Hankyne, Arnold Cogan, Richard son of Philip McGriffyn, David Bath, Richard son of Philip Walsh, Henry Dobbyn, Thomas Barret of Droyng, Philip Harper, Richard Fill, John White, Walter Jamyrleyn.

Who say on oath that the barony of Knoctoffre is charged with xxxviiis. iiii*d.* of royal service when scutage runs. And it is divided thus, viz. Dyrnehynch xs., Kiltorcane xs., Kilhyrrill, vs., Haghbillyr xs., Ballygeragh xl*d.* Also Gybboteslonde is charged with xvis. viii*d.* (?). The Newtown of Jerpoint xxxs. viii*d.* And because the three lords (*sic*) of Jerpoint are not able to raise the said xxis. viii*d.* from their free tenants, they are accustomed to pay commonly by equal portions out of their own goods until such time as they are able to assess their tenants by some right of enfeoffment in discharge of their said obligation to Royal service.

Royal service due from the lordship of Gowran (Baligaueran) in the barony of Gowran.

From one knight's fee in Kylrame . .	xxs.	
,, one knight's fee and a half in Drumgryn	xxs.	
,, one knight's fee in Kilnedymog .	xiiis.	iii*d.*
,, a half knight's fee in Blaunchyneston .	vis.	viii*d.*
,, two and a half knight's fees in Claragh.	xxs.	
,, one knight's fee in Gyliston . .	xiiis.	iiii*d.*
,, two knight's fees in Kilfan . .	xxs.	

From	one knight's fee in Finell	xs.	
,,	one knight's fee in Kylmelagh	xiiis.	iiii*d.*
,,	one knight's fee in ' le Quorellhall '	xiiis.	iiii*d.*
,,	John fitzSymond for one fee in the mountains (*in montanys*) of Gragnegorwyld	xiiis.	iiii*d.*
,,	Croker ys Grond		i*d.*
,,	a half carucate of the land of Nyghame		i*d.*
,,	Fathyng	vis.	viii*d.*

Royal service in Ogenty.

From	Westmoll near Thomastown	xs.	
,,	Balyduff	xs.	
,,	Collymkill	xs.	
,,	Malyncnoke	xs.	
,,	Smythiston	xs.	
,,	Roweston	xs.	
,,	Killeme	iiiis.	
,,	Dungarvan	xls.	

Royal service due from the Lordship of Knocktopher.

From	Dyrneheynch	xs.	
,,	Kiltorcane	xs.	
,,	Kilheryll	vs.	
,,	Aghbyllyr	xs.	
,,	Balligerach	iiis.	iiii*d.*
,,	Gybblede ys land	xs.	
,,	Newtown Jerpoint	xxis.	viii*d.*

Royal service in the Barony of Kellis (Kells) iii*l.*, of which two parts is charged on Kells and a third on the town of Downmeggane in the same barony.

Royal service in the Barony of Erley.

From	Erley	xxxs.	
,,	Killamery	xxs.	
,,	Rathgolby	xs.	
,,	Mallardeston	xs.	
,,	Rathduffe west of Callan (*be Weste Callan*)	xs.	

Royal service in Shilhiller and Odogh.

From Archereston			xs.	
,, Kilferagh			xs.	
,, Inchewollehan			xxs. (of which one half in Bronestown and the other in Ballybur).	
From Tyllaghnebroge			xxs.	
,, Ballifennon			xs.	
,, Renynduffe			xs.	
,, Tollaghroan			xs.	
,, Gorte ne grosse			xxs.	
,, Ballifronke			iiiis.	
,, Tyreskeffe and Tyrestollane			xs.	
,, Kiltravyn which is called Barchurch			xxs. (of which xxs. two parts are charged upon a moiety of Croker is Grage and a third part on the moiety of Hebbardeston).	
From Ballylorcan and Dromdewygyn			xxs.	
,, Rathell			xs.	
,, Ballydowyll			iiis.	iiii*d.*
,, Knoke ne Weygh and Tyremysky			xxs.	
,, Glascro (on the land which is called Smytheslond and Thomas Herbryg's land)			xs.	
From Cloncoscran and Rathbeghe		iii*l.*	xs.	
,, Tybbrid			xxxs.	
,, Dunmor			xxs.	
,, Rosconyll			xls.	
,, Cloghmantagh			xxs.	
,, Aghmecarte		iii*l.*	xiiis.	iiii*d.*
,, Cowlcassyn in the Barony of Aghtagyrd		iiii*l.*		

Royal service due from the Barony of Overk.

From the lordship of Roche of Rowyr		xxs.
,, Lysterlyn		xxs.
,, Ballymagoryn		xxs.
,, the four heirs of Odaa (as appears in the margin)	iii*l.*	

From	Kilcron	iiil.
,,	Dunkyt	iiil.
,,	O Raynane *alias* Dunbyrner . .	xxs.
,,	Kilmabogh	xxs.
,,	Kilheyske	xls.
,,	Carrugmoclagh . . .	xxs.
,,	Baltarstyn	vs.
,,	Ballyheyn	xxs.
,,	Loghrane, Kyllagh and Rossenan .	xxs.

(In margin of royal service of Overk : " from the purparty of Astekyn in Odaa xvs. From the purparty of Roth (or Roch) in Odaa xvs. From the purparty of Bronsed in Odaa xvs., from the purparty of Dromdony in Odaa xvs.")

November, 1419.

36.

Kaight Brenan quit-claims to John Dobyn, senior, burgess of Kilkenny, all her right in all gardens and tenements which John has in Flemyngeston, as in a charter made to John is more fully contained, and elsewhere in the county and Cross of Tipperary both within liberties and without.

January 23, 1420.

37.

Two Deeds.

1) Arthur Ormesby, esquire, son of Margaret daughter of William Wyndesore, knight, kinsman and heir of said William grants to James, Earl of Ormond, full seisin in all lands, tenements, rents, services, wardships, marriages, reliefs, escheats, ways and paths and all other appurtenances both in lordships as in services, together with advowson of the church of Youghull which lately belonged to said William in Inchecoigne and Youghull in Ireland, according to form and effect of a writing made between the grantor and the Earl.

Given at Youghal on the last day of February in the 7th year of Henry V.

February 28, 1420. Seal.

2) Arthur Ormesby appoints Robert Herbrigge and Henry White his attorneys to place James, Earl of Ormond, in seisin as above.

Same date.

38.

Indenture in French between James, Earl of Ormond, King's Lieutenant in Ireland, and Thomas Petyt, esquire, witnesses that Thomas is retained with said Earl to serve well and loyally for an entire year in an expedition (*viage*) that the said Earl is to make in Ireland, commencing the first day that Thomas will make his muster before the Earl or his deputy, and Thomas shall have with him in the said expedition for a whole year six archers provided by himself, each of said archers for said year to have a hundred shillings and their robes. Thomas shall have them well armed, harnessed, and mounted after the fashion of England. Every two of said archers to provide for themselves three horses, and one horse-boy (*garsoun*) to guard them. And if it happen that Thomas or any of his retinue take a captain or chieftain of a nation or of a country (*capitein ou chieftein de nacioun ou de pais*) in said year, Thomas will render such captain or chieftain to the Earl, for which the Earl will make reasonable reward to him.

Given on the 1st day of March in the 7th year of Henry V.

March 1, 1420.

39.

Four Deeds.

1) Elizabeth Calfe in her liege viduity gives and grants to Walter Marcos and John Raggyt, chaplains, her manor of Norragh with all its demesnes, lordships, rents, services and possessions, together with advowson of churches, reversions of dower, suits of court, attendances of free tenants there, and wardships, reliefs, marriages, escheats and all other rights pertaining to the said manor, to have and to hold for ever to them and their heirs and assigns, rendering to the chief lords the services due and

accustomed. Elizabeth warrants them in possession of the above against all men.

Given on Thursday next before St. Patrick's day in the 7th year of Henry V.

March 14, 1420.

2) John Raggyt, chaplain, gives and warrants to Edmund son of James de la Freynge his manor of Norragh (as above) with all appurtenances, to him and his heirs for ever.

Given on the last day of August anno Domini MCCCCXLI° and the 20th year of Henry VI.

August 31, 1442.

[As the regnal year begins on September 1, the year of this Deed is *recte* 1442].

3) John Raggyt, chaplain, appoints Walter Roth his bailiff for placing Edmund son of James de la Freynge in full seisin of the manor of Norragh as above.

Same date.

4) John Ragit, chaplain, quit-claims to Edmund son of James de la Freynge all rights in the barony of Norragh in county Kildare which he has of the gift and enfeoffment of Isabella Calf, baroness (*baronissa*) of said barony.

Given at Kilkenny on the 20th day of September in the 20th year of Henry VI.

September 20, 1442.

40.

Peter son of Nicholas Everard quit-claims to Richard son of Walter Prout, his heirs and assigns, all his right in one messuage, one carucate of arable land, and a half carucate both of wood, meadow and pasture, in Croan and eight acres of arable in the tenement of Denghynmore, and in two shillings of annual rent in Robyneston and in two pence annual rent in Ballygerdi, and in all other messuages, lands, etc., which formerly belonged to

Nicholas son of John Cogan in the barony of Knocktopher and in the barony of Kells in Ossory.

Witnesses : Nicholas White of Clonmel, Henry his son, William fitzGerald, Patrick Coterell and Thomas Mownestre.

April 18, 1420.

41.

William son of James Bellewe appoints William de Prestoun, merchant, his attorney for placing Thomas son of Richard de Prestoun and William son and heir of the same, in full seisin of all messuages, lands, tenements, rents and services which grantor has in ' le Haltoun ' otherwise called ' Litilhaltoun,' to have and to hold for ever.

June 10, 1420. Seal.

42.

Walter Shirlok, seneschal and general receiver of the lands of the Earl of Ormond, admits to having received from William Archer, farmer of the Earl's stone mills at Kilkenny, by the hand of William and of Edward Walsh, 12*l.* 10*s.* silver of the farm of the said mills for four terms now expired.

July 9, 1420.

43.

Indenture made on the 18th day of September in the 8th year of Henry V between James, Earl of Ormond, and John Roche of Cloyncorrey, witnesses that the Earl has granted and to farm let to John and his heirs all his manor, messuages, lands, tenements, services, meadows, moors and pastures, customs, ponage, courts and heriots which he the Earl has in two towns, namely Great Ratron and Little Ratron in Meath near Bacouneston, to have and to hold to John and his heirs for the term of thirty years next following, rendering yearly to the Earl or his heirs five marks silver yearly. John and his heirs or assigns shall make vaults, parapets and battlements (*voltabunt tabellient et batalliabunt*) for the castle of Great Ratron at their own expense within the first seven years of the term and shall rebuild the old walls and

parapets. (*Voltabunt in latitudine parietis veteris et arche octo pedum et edificabunt ita alte sicut volta dicti domini comitis de Cloyncorrey et tabellient ita alte sicut tabilmenta aule castri dicti domini Comitis de Cloyncorrey*). And if it happen that the said castle is not entirely built within seven years as above then the said Earl may distrain John or his heirs in their goods and chattels and retain them until the said castle shall be built. (Other provisions for payment of the rent follow). At the end of the term the said manor to return to the Earl or his heirs.

September 18, 1420.

44.

Portion, much torn, of a roll of the county court of the Liberty of Tipperary, held before Oliver Comyn, sheriff of the Liberty, John son of Fulc Mauncell, Theobald Leynagh, keepers of the pleas of the Crown in the same Liberty, at Crumpeshall on the feast of . . . , Apostle, in the 9th year of Henry V.

[1421].

45.

Inquisitions of the Desmond Earldom.

Inspeximus (in latin) by Henry VIII with regard to the Earl of Desmond's properties in Connaught and in counties Waterford and Tipperary.

1) " Henry VIII, King of England, France and Ireland, Defender of the Faith and in earth Supreme Head of the church of England and Ireland, greeting.

We have inspected the tenour of certain inquisitions as follows.

' An inquisition held at Ardraghyn in county Connaught before Henry Stanyhurst, deputy of John Pylkyngton, knight, junior, the King's Escheator in Ireland on Monday next before the feast of the Nativity of our Lord in the 8th year of Henry V [December 23, 1420] by the subscribed viz. Richard son of William son of Richard de Burgo, Hugh son of John de Burgo, William son of Hubert de Burgo, Henry de Burgo, Edmund Broune, Nicholas Croker, Henry son of . . . O'Heyne, Donat McGyllekelly, John de Rosathy, John Abret and Henry son of Nornane (*sic*). Who

say on oath that John, lately Earl of Desmond, mentioned in the brief here following, held in demesne as of fee on the day he died of the heir of Richard de Burgo, Baron of Ardraghyn (*Baronis de Ardraghyn :* ? *Baroniam* intended, or *manerium de Ardraghyn* omitted), with its appurtenances, the manor of Bernesheaghe with its appurtenances, the manor of Slegagh (Sligo), the manor of Moydath in Connaught, by service of (*stained :* ? one) knight's fee, now worth nothing per annum because they are wasted by the Irish. Also that the Earl did not hold any other lands or tenements of the said Richard or any other persons in chief on the day he died. Also that he died on Saturday next before the feast of St. Luke Evangelist in the 22nd year of Richard II [October 12, 1398]. And that James, son of Gerald of Desmond, brother of said John, late Earl of Desmond, is nearest heir and is thirty years of age and more, and not married. Also that Maurice fitz Gerald and Thomas fitz John from the time of the said Earl's death have occupied and do occupy all the said manors and lordships and received the issues and profits of the same, in virtue, the jurors say, of a grant made by the King to Maurice and Thomas by reason of the minority of Thomas son of John.

To which inquisition the jurors have set their seals on the day and year abovesaid.'

' Inquisition taken at Naas in county Kildare on Tuesday next after the feast of St. Hilary in the 8th year of Henry V [January 14, 1421] before Henry Stanyhurst, deputy Escheator, etc., by Thomas Lyarde, Nicholas Sylby, Thomas Chylton, John Rede, William Hode, William Burgeys, William Abbot, Adam Chapman, Simon Gary, John (*stained*), William Barbor, Thomas Peyntor, Richard Tanner, Walter Madoke, John Sloo, William Dowly, William Broun, Richard Stiltone (?). Who say on oath that John, late Earl of Desmond, etc., held on the day he died in demesne of Richard II in chief by knight-service the manor of Courthrad' (? : *stained*) and the lordship of Oregane in county Kildare, which are worth nothing per annum because of the Irish enemies. And that he held no other lands or tenements of the lord King or of any other in chief in county Kildare on the day he died. And that he died on Saturday next before St. Luke's day in the 22nd year of Richard II [October 12, 1398]. And that Maurice son of Gerald (*filius* here, not *fitz* as in the preceding

inquisition) and Thomas fitzJohn occupied the said manors after his death and do occupy and receive the issues, etc., in virtue of the King's commission, etc., (as before).

To which inquisition the jurors have set their seals in the same day, year and place.'

'Inquisition taken at Dungarvan in county Waterford on Friday next after the Epiphany in the 8th year of Henry V [January 10, 1421] before Henry Stanyhurst, etc. (as above) by Nicholas Peke, William Syttagh (? : *stained*), Robert Laweles, William Lyncoll, John son of Latice (*filium latice*), Theobald Laynagh, Philip Whyt, Thomas Baron, Patrick Whit, John Casy, David Kelly, Robert Fleming, baker, Westpare (?), Nicholas Keyler, William Ushyt (?), John Rope, William Crostate (?), and Nicholas fitzWilliam.

Who say on oath that John, late Earl of Desmond, on the day he died held of King Richard II the manor and town of Dungarvan in chief with its appurtenances in county Waterford by knight-service which are worth yearly 100*s.* and no more, because wasted by the Irish enemies of the King. Also that he held in his fee the office of chief serjeant of county Waterford and a weir on the water of Suir (?) and twenty-six acres of meadow near the city of Waterford, by service of suit to the King's county court of Waterford every month, which are worth yearly 6*s.* 8*d.* And that he held nothing else in chief in county Waterford. And that James, his brother, is his nearest heir and is thirty years of age and more. And that Maurice fitzGerald and Thomas son of John occupy the above lands, etc., in virtue of a royal commission, etc. (as above).

To which inquisition the jurors have set their seals, on the day etc., abovesaid.'

'Inquisition held at Clonmel in county Tipperary before Henry Stanyhurst, etc. (as above), by William Whyt, William Maydewell, James Robell, Henry fitz Harryse Botler, Richard Norryes, Richard Wale, Richard fitz Henry Wale, John Robell, Milo Poer, William Core and Edmund Haket and Maurice Maydewell. Who say on oath that John, late Earl of Desmond, was seised in his demesne as of fee on the day he died of King Richard the barony of Kylfekyll, the barony of Kylsylane and the town (*villatam*) of

Clonmel in county Tipperary by knight-service ; also the manor of Owlis with its appurtenances of the heir of Edmund de Burgo as of his manor of Tipperary by knight-service, which are worth yearly 100s. (? : *faded*). And that he held no other lands, etc., in chief of the King in county Tipperary. Also that he died, etc. (as above) and that James is his nearest heir, and that Maurice fitz Gerald and Thomas fitz John ever since his death occupy the said manors, etc., in virtue of a royal commission (as above). To which inquisition the jurors have set their seals.'

We have therefore thought fit at the request of James, Earl of Ormond, and Treasurer of our land of Ireland, to exemplify the above inquisition.

Teste James Bathe, chief Baron of our Exchequer, at Dublin on the 10th day of October in the 34th year of our reign."

December 1420–January 1421.

October 10, 1542. Great seal of Ireland.

Dorso : Generall inquisicions of the therle of Desmondes lands.

2) Inspeximus by Henry VIII of Inquisitions taken in the 8th year of Henry V, as to the possessions of John, Earl of Desmond, in counties Limerick, Cork and Kerry.

The inquisitions, in latin, are as follows.

' Inquisition taken at Garrebybes in county Limerick before Henry Stanehurst, deputy of John Pelkynton, knight, junior, King's Escheator in Ireland on Tuesday next before Epiphany in the 8th year of Henry V [January 7, 1421 N.S.] by John de Wale, Nicholas Lundres, Robert Wale, John fitz Elles, Philip Dullard, Patrick Wolff, Henry Whit, Henry Chapel, John Nasch, Philip Englond, William Motyn and Edward Lunders. Who say on oath that John, late Earl of Desmond, of whom mention is made in the writ annexed to this inquisition, held in demesne as of fee on the day he died the manor and castle of Shenede, the manor and castle of Inskyfty and the manor of Fedmer, of Richard II, late King of England, in chief by knight-service. Also Mineterscourt and one carucate of land in Corballi of the same king by service to the mayor and bailiffs of the city of Limerick of 6*s.* 8*d.* yearly in exoneration of the mayor and bailiffs there upon the farm of

the same. Also the manor of Newcastle Ocunyll, held of the Bishop of Limerick for 6*l.* [*sic*] of wax at each feast of the Purification of the B.V.M. yearly. Also the manor of Kylroddane of the said Bishop as in right of the church by service of being Marshal of the Bishop's household whenever he holds a general council in his diocese. Also he held the manor of Glenogyr of Gerald fitz Moryshe, Earl of Kildare, by knight service as of his manor of Adare, which manors are worth yearly 100*s.* The said Earl of Desmond did not hold any other lands, etc., of Richard, late King of England, nor of any other persons in chief (in county Limerick). He died on Saturday next before the feast of St. Luke, Evangelist, in the 22nd year of the reign of King Richard [October 12, 1398], and James [*sic*], son of Gerald of Desmond, brother of the said John lately Earl, is his nearest heir and is thirty years of age and more, and not married. Also that Maurice fitz Gerald and Thomas fitz John have occupied all the manors, courts and lordships abovesaid since the death of the said Earl and have taken all issues and profits thereof, by reason of a commission of the King granted to the said Maurice and Thomas in virtue of the minority of the said Thomas son of John.'

'Also an inquisition taken at Ballaghagh in county Cork before Henry Stanehurst, deputy of John Pylkyngton, etc., (as above) on Friday next before Epiphany in the 8th year of Henry V [January 4, 1421] by the following, Jordan Stakbole, Edmund Dodde, John Whyt, John Sede, Roger Scurlage, John Englande, John Thomyr, Nicholas Martyn, William Werdoun, Bartholomew Scurlage, Adam Walshe and Thomas Dodde. Who say that John late Earl of Desmond, held in his demesne as of fee in chief on the day he died of Richard, late King of England, predecessor of the present King, the barony of Donmarke and Donm^{c}omound by knight service, which are worth nothing because damaged by Irish enemies of the King. Also that he held the office of chief serjeanty of county Cork, two acres of meadow and one pool (*gurgitem*) on the water of Lee of the said King by service of suit of court in county Cork each month, which is worth yearly 2*s.* Also the manor of Moyall [Mallow] of John Roche as of his manor of Castletown Roche in Fermoy by knight service, which is worth yearly 20*s.* and no more, because it is waste and destroyed by Irish enemies of the King. Also the manor of Knocmorryne and the Newtown of Olethan of Lord John de Barry, knight, as of

his manor of Castellethane, by knight service, worth 10*s*. but no more because devastated by war. Also the manor of Cloncourch of the bishop of Cloyne as in right of his church at 13*s*. 4*d*. yearly, which is worth 10*l*. yearly but no more on account of war. Also that he held the manor of Broghyll of John Roche as of his manor of Cogansrathe by suit at court of the same at Cogansrathe each fortnight, which is worth yearly 10*s*. and no more on account of war. Also that he did not hold any other lands, etc., of the King or others in chief in county Cork. And that he died on Saturday etc., (as above). And that James son of Gerald (*sic*) is his nearest heir, and that Maurice fitz Gerald and Thomas fitz John have entered upon all said manors etc., (as above).'

'Inquisition taken at Tralee in county Kerry before Henry Stanehurst etc., (as above) on Monday next before the feast of the Circumcision in the 8th year of Henry V [December 31, 1420] by the following, viz. Gerald Tralkent [? Trawent], Nicholas Fyriter, Maurice Lundre, John More, John Broune, Walter Husse, John Fowler, Philip Mayowe and Richard fitz Danyl who say that the late Earl of Desmond held of Richard, late King of England, in demesne as of fee Castleisland, the manor of Denkylhoweyse, the new manor near Tralee, the manor of Tralee, the manor of Ballymore, the manor of Tawelaghe, the manor of Kylorgan, the manor of Tarbyrte, the court of Leznebreke and the lordship of Desmond within the county of Kerry by knight service, also the manor of Kylbanwane of the Bishop of Artfert by service of 30*s*. yearly for all service; which manors, courts and lordships are worth yearly 20*l*. Also he held to him and the heirs male of his body a Liberty and regal jurisdiction within the same county of the said King in chief, viz. to have cognizance and jurisdiction of all pleas both royal and personal before his seneschal and justices. both by writs of the same county under the seal of that Liberty as by bills of holding and terminating, and also making his officers, viz., seneschal, justice, treasurer, barons, chancellor, sheriff, serjeant, and all other his officers and ministers necessary in the same Liberty. Also to enquire of all seditions, felonies, contempts, transgressions and other offences and extortions whatsoever, and to hear and terminate them. Also power to grant charters of peace for all seditions, felonies, trespasses and all other offences whatsoever committed within the Liberty, under seal of the same Liberty. Also they say that he

held on the day he died the office of serjeant of the Cross of the same county in his demesne as of fee of the same late King in chief by service of suit at the King's county court of the same Cross of that county each month. And that he held no other lands etc., in chief of the King or any other in the said county ; and that he died on Saturday etc., (as above). James (*sic*) is his nearest heir etc., (as above) and Maurice and Thomas (as above) have entered all these lands, etc.'

The above deeds are exemplified at the request of James Butler, Earl of Ormond and Ossory, and King's Treasurer in Ireland. In witness whereof these letters patent are made.

Teste James Bathe, chief Baron of the Exchequer, at Dublin on the 11th day of October in the 34th year of Henry VIII."

December 1420–January 1421.

October 11, 1542. Great seal of Ireland of Henry VIII, almost perfect.

The portion of the Kerry inquisition which relates to the Earl of Desmond's palatine liberties is as follows in the original.

" Et dicunt quod tenuit eodem die quo obiit sibi et heredibus masculis de corpore suo exeuntibus libertatem et regalem iurisdiccionem infra eundem comitatum de prefato nuper Rege in capite viz. ad habendam cognacionem et iurisdiccionem omnium placitorum tam regalium quam personalium coram senescallo et iusticiariis suis tam per brevia ejusdem comitatus sub sigillo libertatis predicte quam per billas tenend' et terminand' necnon faciendi officiarios suos viz. senescallum iusticiarium thesaurarium baronem cancellar' vicecomitem servientes et omnes alios officiarios et ministros suos sibi in dicta libertate sua necessarios. Necnon ad inquirendum de universis et singulis sedicionibus feloniis contemptibus transgressionibus et aliis offensis et extorcionibus quibuscumque et illas audiend' et terminand'. Ac eciam potestatem concedendi cartas pacis de quibuscumque sedicionibus feloniis transgressionibus et aliis offensis quibuscumque infra libertatem predictam factis sive perpetratis sub sigillo suo eiusdem libertatis."

Note.—The above inquisitions are important for the Desmond descent. See Cockayne : *Complete Peerage*, under " Desmond."

These inquisitions are an aid to the elucidation of the difficulties of the descent in the early 15th century, as well as affording a valuable survey of all the Desmond lands in Munster and Connaught.

46.

James, Earl of Ormond, the King's Lieutenant in Ireland, grants to John Coke the office of warder (*custodis*) of his meadow called 'le Gybed mede' near Kilkenny with all lofts and commodities appertaining, for the term of his life, at the accustomed fee.

Given on the 20th day of January in the 8th year of Henry V.

January 20, 1421.

47.

Acknowledgment by Patrick, bishop of Ossory, of having received from Patrick Coterell, his receiver, six marks of rent for Easter term last past, in which the said Patrick and William fitz Gerauld were bound for arrears of their pensions.

Given on the 3rd day of April in the 9th year of Henry V.

April 3, 1421. Episcopal seal.

48.

William Veng, chaplain, lord of the barony of Kells, gives and grants to Patrick Coterall his mill-pond in Kells viz., in 'le hed More,' and his fisheries in 'le Ry' with free entry and egress to the same, for the term of twenty-two years next following rendering yearly at Easter nine shillings.

Given on the 20th day of August in the 9th year of Henry V.

August 20, 1421. Seal.

49.

Walter Shyrlok, seneschal and general receiver of James Butler, Earl of Ormond, Lieutenant of the King in Ireland and farmer of all the lands of the Earl of Stafford in Ireland, acquits John Arderne, reeve of the said Earl of Stafford's town of Kilkenny, of four pounds, being the revenues of the burgages of the said town,

paid to him by the hands of William Raggyt, in witness whereof he has set his seal.

August 29, 1421. Seal perfect.

Dorso: An acquittance from the Erle of Ormonds senescha of iiij*l.* of the cheefe rent of the burgage of Kilkenny to the Erle of Staffords portrefe.

50.

Two Deeds.

1) Nicholas son of John Swetman gives and grants to Robert Folyng of Kilkenny one messuage, forty acres of arable, four of meadow and four of moor in Gebonneschephous and Lesmenane which formerly belonged to Gilbert Swetman, to have and to hold to him and his heirs for ever.

Given on the 12th day of January in the 9th year of Henry V.

January 12, 1422.

2) Nicholas Swetman as above appoints Stephen Pembrok and Robert Erchedekyn his bailiffs for placing Robert son of Robert Folyng of Kilkenny in full seisin of the above.
Same date.

51.

Sixteenth-century copy of an indenture in latin between the Earl of Ormond and the Earl of Desmond for Youghal, Inchecoyne and Imokilly.

This indenture made on Saturday next before the feast of the Purification of the B.V.M. in the 9th year of Henry V, between James le Botiller, Earl of Ormond, and James son of Gerald, Earl of Desmond, witnesses that the former has appointed and ordained the Earl of Desmond keeper (*custodem*), governor, and supervisor of all the baronies and lordships of Ynchecoyne, Ymakyll and the town of Youghull, with all free tenants, farmers (*firmariis*) of the said Earl (of Ormond) and tenants residing and remaining within said lordships. And that the Earl of Desmond will defend the same with all their possessions and tenants against all Irish enemies and rebels, and with all his power will keep them unharmed, and if any wrongs be done to them will immediately

have them amended and restoration made at his own costs in all parts of Munster. The Earl of Ormond also grants that the said free tenants, farmers, and residents shall aid the Earl of Desmond in resisting such enemies or rebels with all their power as they would have done to the Earl of Ormond in such a case. To have and to hold said custody of the Earl of Ormond for the term of his life. The Earl of Ormond also appoints the Earl of Desmond his seneschal for life in all his baronies and demesnes abovesaid over all his courts and jurisdictions, to do full justice to all, etc. Also to appoint all officers and correct their defects (the receiver of the Earl of Ormond's rents and profits there excepted)—with power to remove such officers and appoint others in their places whenever necessary. The Earl of Ormond also grants to the Earl of Desmond for the term of his life the moiety of the profits of all rents in the above lordships, baronies and town of Youghal, also of the courts, wardships, marriages, reliefs, escheats and royal service and all other profits whatsoever thence arising. Also the Earl of Ormond gives and grants to the Earl of Desmond for the term of his life two hundred and forty acres of land of his demesnes wherever the latter wishes to select them within the said lordships, etc. and cultivated land (*husbandria*) of the same, to have and to hold free of rent, together with heriots (*harietis*), autumn works, ponages and other customs, aids and works whatsoever as were yearly accustomed to be done for maintaining husbandry there. The Earl of Desmond during his life may let lands ets., to tenants and farmers in the same at the accustomed rent as is the custom in letting, and to receive the same back from them when they wish to surrender according to the custom of those manors. The tenants and farmers shall be intendent and obedient to the Earl of Desmond as to their former lord.

[Provisions follow for the return of these manors at the death of the Earl of Ormond].

January 31, 1422.

Dorso : The copie of the indenture betwixt the Erlis of Ormond and Desmond for Ymokilly, Inchycoyne and Yoghill.

52.

James, Earl of Ormond, and Leticia Braynok, lately wife of Robert Talbot, appoint Thomas Knaresburgh, Thomas Englys

and John Shorthals, burgesses of Kilkenny, their bailiffs for placing Walter Shirlok in full seisin of the manor of Dunnovir in county Kilkenny with all its appurtenances, to have and to hold to him and his heirs for ever.

Given on the 20th day of February in the 9th year of Henry V.

February 20, 1422. Seals of Butler and Braynok.

53.

John de la Veer gives and grants to John son of Nicholas Lumbard of Ballykeff his manor of Ballykeff with all the messuages, lands, tenements, rents, etc., which grantor has in Coulyshill, Shortalston, Crouthouresrath, Gragevally, Clonham, Cloigheran and Baretestoun near Droigne which he had of the gift and enfeoffment of Margaret Shorthals, mother of said John Lumbard. Also all messuages, lands, etc., which he has in Edwardesgrage and in the parishes of Kylmanagh and Kyllaloo. To have and to hold to John Lumbard and the heirs male of his body of the chief lords of the fee. Then remainder successively to Edward Lumbard, Roger Lumbard and Robert Shorthals and the heirs male of their bodies; if they die each without heir male, then to revert to said John Lumbard.

Given on the 8th day of March in the 9th year of Henry V.

March 8, 1422. Seal.

54.

Letters patent of James, Earl of Ormond, appointing William ogge seneschal for all his manors, lands, etc. in England.

Given on the 12th day of April in the 10th year of Henry V.

April 12, 1422.

55.

Geoffrey Baron, chaplain, by indented charter gives and grants to Edmund fitz Thomas le Botiller, ' chyvailler ' (knight), the manors of Tempilheyn and Lysnetibre, Kylenale, Greyeston and Cnokanglasse, to have and to hold to him and the heirs male of

his body of the chief lords of those fees by the services due and accustomed. Remainder successively to Richard fitz Thomas le Botiller, knight, John fitz Thomas, knight, Theobald fitz Thomas le Botiller, knight, Thomas fitz Thomas le Botiller, knight. If these all die without heirs male of their bodies, the above manors to remain to James, Earl of Ormond, and his heirs for ever.

April 12, 1422. Seal of Baron.

56.

Richard Kepagh and William Venge give and grant to John fitz Thomas le Butler, chyvaller, the manor of Dangenespedoke, Corballe, Ballem . . . ontine, Killinlieghe and Ballonekille ; to have and to hold to him and the heirs male of his body. Remainder successively to Edmund fitz Thomas le Butler, Richard fitz-Thomas le Butler, Theobald fitz Thomas le Butler and Thomas fitz Thomas le Butler. If all these die without heir male of their bodies, the manor to remain to James le Butler, Earl of Ormond, and his heirs for ever, to hold of the chief lords of those fees by the services due and accustomed.

April 12, 1422.

Note.—This is the first occasion in these deeds in which the later form of the family name ' le Butler,' appears.

57.

Richard Proute demises, enfeoffs and by this indented charter confirms to John fitzThomas le Botiller, knight, the manors of Casselharrayl and Molum (?) in Overk, to have and to hold of the chief lords of those fees, etc. Remainder successively to Edmund fitz Thomas le Botiller, knight, Richard fitzThomas le Botiller, knight, Theobald fitz Thomas le Botiller, knight, Thomas fitz Thomas le Botiller, knight. If all these die without heir male of their bodies, them to remain to James, Earl of Ormond, and his heirs for ever.

April 16, 1422. Seal.

[It appears from the latin of the text that it is Thomas le Botiller who is a knight ; his sons Richard, Theobald and Thomas are not described as such].

58.

Thomas O'Ryane *alias* Donny quit-claims and surrenders to Patrick Coterell all right which he has in a pool and in the fishery of the Nore at le Corbaly near le Boly.

Given on the 16th day of April in the 10th year of Henry V.

April 16, 1422.

59.

Margaret, daughter of John de la Freigne, gives and grants to Rosina Fawken [er ?], wife of Richard Boneys, and Walter her son all messuages, lands, rents, meadows, etc., which she has in Caston in the tenement of Tascoffyne, to have and to hold to them and their heirs for ever.

Given at Kilkenny on the 16th day of July in the 10th year of Henry V.

July 16, 1422. Seal of Margaret de la Freigne.

60.

Adam son of John White of the town of Bolek gives and grants to John son of Henry Lafan of Mogorban three messuages and three crofts in the burgage of same town ; of which two messuages with two crofts lie between the road called " Lan " which leads to the cemetery (*semitorium*) of the same town on the south and the land of the house of St. John outside the Newgate of Dublin on the north ; and the third messuage and croft lie between the said land of St. John's on the south and the land formerly Jeffyn Note's on the north in the main street (*magno vico*) in same town. To have and to hold to him and his heirs for ever.

Given at Bowlek on Friday next before the feast of SS. Simon and Jude in the 1st year of Henry VI.

October 23, 1422.

61.

Royal service belonging to the Earl of Ormond in county Kilkenny.

The lordship of Roche of Rower . . .	20s.
Lesterlyng	20s.
Balinagurin (?)	20s.

Purparty of Erchedekyn in Odaa . . .	15*s.*
,, Roche ,, ,, . . .	15*s.*
,, ,, Bronfedyr ,, ,, . . .	15*s.*
,, ,, Drumdowny in the hands of said Earl	15*s.*
Kilcroyn	60*s.*
Dunkyt	60*s.*
Oraynayn which is called Dunbirn (?) in the hands of the Earl	20*s.*
Kilmaboigh	20*s.*
Kilreske	40*s.*
Carrykmoclagh	20*s.*
Balt	5*s.*
Ballyhar . . . . Loghren, Killagh and Rossenan .	20*s.*
Derynynch	10*s.*
Kiltorcane	10*s.*
Aghbillir	10*s.*
Kilgheryll	10*s.*
Balligeragh	6*s.* 8*d.*
Gibblotesland	10*s.*
Newtown of Jerpoint	21*s.* 8*d.*
Kilamery	20*s.*
Archereston	10*s.*
Ballyfynan	10*s.*
Kilferagh	10*s.*
Newtown of Erley and Coillagh . . .	30*s.*
Rathgulby	10*s.*
Mailardeston	10*s.*
Barnchurch	20*s.*
Ramynduff	10*s.*
Inchwolaghane	20*s.*

Total 30*l.* 5*s.* (*sic*) of which there belongs to the King 22*l.* 4*s.* $5\frac{1}{4}$d. and a third part of a farthing.

Royal service belonging to the Earl of Stafford in the said county.

Barony of Ballygavenane	8*l.*
Cowylcasshyn	3*l.* 13*s.* 4*d.*
Slevyn	10*s.*
Laghartate and Carryk	15*s.*
Ballifank	4*s.*
Cowylbaly	4*s.*

Barony of Kells		60*s.*	
Dungarvane		40*s.*	
Aghteyr	4*l.*		
Disert Oloscane		40*s.*	
Aymcart (?) Aymoart		20*s.*	
Gortyngrasse		20*s.*	
Total	26*l.*	6*s.*	4*d.*

Royal service belonging to the Earl of March in the said county.

Killeryn		4*s.*	
Parceners of Thomas Antoyn in Ogenty		60*s.*	
Rathele		10*s.*	
Aghnefeagh and Tyrmysky		20*s.*	
Glascroo		10*s.*	
Aghnyrl		10*s.*	
Balygeuenane		10*s.*	
Tybbritayne		30*s.*	
Rathdowny	4*l.*		
Cloynmocorkrane and Rabeagh		8*s.*	4*d.*
Agh . . . and Gortseny		2*s.*	
Ballydowyll		3*s.*	4*d.*
Tillaghbroge		20*s.*	
Rosconyll		40*s.*	
Clonmantagh		20*s.*	
Tillaghrothan		10*s.*	
Tireskeff and Tirescollane		10*s.*	
Drumdelgyn and Ballorcane		20*s.*	
Kilmekerr and Balmoclagh		30*s.*	
Dunmore		40*s.*	
Mothyll		40*s.*	
Total	26*l.* 2*s.*	8*d.*	(*sic*).

[No date is given to this deed. It perhaps applies to the reign of Henry IV or may be as late as 1423 when Edmund Mortimer, Earl of March, came to Ireland as Lord Lieutenant. The services due to the Earl of March are given. So are those due to the Earl of Stafford. The latter by descent was lord of a portion of the Liberty of Kilkenny. In 1392 at the request of the then Earl the King granted to James, Earl of Ormond, the custody of this portion. Edmund fifth Earl of Stafford was killed in 1403 at the

battle of Shrewsbury. He had married Anne, daughter of Thomas, Duke of Gloucester, youngest son of Edward III. By her he had Humfrey, later Duke of Buckingham. Anne later married Sir William Bourchier, created Count of Eu in 1419. Their son was Henry Lord Bourchier. For deeds relating to Sir William Bourchier *see* deeds 5 and 6 of this volume].

[*Circa* 1423].

On the dorso there is written in a later hand : *Recepcio servicii regalis apud Kildare coram Thoma Comite Dessemonie Deput. locum tenentis Hibernie de veneris prox. post festum Nativ. S. Johannis Baptiste anno r. r. Edwardi IIII septimo.* [June 19, 1467].

The writing is much faded and the whole entry is brief ; it contains the names of James Troy, serjeant, Gilleduf Bourke, Nicholas O'Brodir for Kilmaboigh and Baltarstyn and " purparty of the Earl of Ormond there." The total sum amounts to about 55*s*.

It refers to the time when the Earldom of Ormond was in the hands of the Crown by attainder (1461–76) and Thomas, Earl of Desmond, as Deputy took into the hands of the Crown the royal service due from the Ormond lands.

62.

William Devenysh, chaplain, gives and grants to Gilbert Eylward all the messuages, lands, rents and services which he had in Kilblethyn of the gift and grant of Gilbert Eylward, for the whole of his life. Remainder after the death of Gilbert to Nicholas Eylward for life and to Henry son of Nicholas. Then to Richard son of Nicholas Eylward and the heirs male of his body. If he die without hier male so begotten then to Thomas son of Gilbert and the heirs male of his body. If he die similarly, then to the heirs male of Henry son of Nicholas Eylward, then to Robert Eylward and the heirs male of his body, then to John son of Gilbert and then to William Eylward ; and if these die without heirs male of their bodies, then to the right heirs of Gilbert Eylward for ever.

February, 1423. Seal perfect.

63.

The sovereign, reeve and community of Clonmel give to Johanna daughter of Richard Stewyn and Edmund her son leave to construct a loft (*solium*) above and beyond the common lane (*vinellam*) which goes to the water of the Suir (*del Sowyr*) on the east side of the great bridge of the town, viz. from the house of St. John in which the said Johanna lives to the highway (*stratam regiam*) on the west. To have and to hold for the whole life of Johanna and Edmund at the yearly rent of two pence silver.

July 1, 1424.

64.

John Oweyne, chaplain, gives and grants to John son of James Kylrame all the messuages, lands, tenements, etc., in Loghrath, Costardeston, Mayne and elsewhere in county Kilkenny which grantor has of the gift and enfeoffment of said John son of James. To have and to hold to him and the heirs male of his body lawfully begotten. Remainder to Richard son of Thomas Kylrame and the heirs male of his body ; to Thomas son of Robert Kylrame ; to Thomas son of Thomas Kylrame ; and if these all die without heirs male of their body, then to the right heirs of the abovesaid John son of James Kylrame for ever.

July 19, 1424. Seal.

65.

Thomas Peryne gives and grants to Patrick Godyne a piece of land containing a half virgate in breadth and twenty virgates in length in the burgage of Kells in Ossory, in a place called ' le Dyrr,' for drawing a certain water course to Patrick's mill. Which piece of land in length stretches from the water which leads to Donymgan towards Kells to Patrick Coterell's land. Grantor also gives Patrick leave to construct a weir for a mill pond. To have and to hold to him and his heirs for ever.

Witnesses : Thomas Houlyne, William MacNasbok, William Kepe, John Hawkyne, John Mylys and John Eylward. Given at Kells on Saturday next before the feast of St. Peter *ad Vincula* in the 2nd year of Henry VI.

July 29, 1424.

66.

Two skins, written on both sides, with the heading ' De firmis dimissis ' (farms leased out), containing twenty-eight entries, of the dates 1425–1441. Evidently a compilation from deeds and charters.

1) Indenture between James, Earl of Ormond, on one part and Mabel Gogane and Thomas Wyse on the other, witnesses that the Earl has granted and to farm let to Mabel and Thomas his water mill of his manor of Grenagh with all necessaries and appurtenances belonging to the same. To have and to hold for their whole life and either of them, paying yearly twenty shillings silver. And they shall repair, build, raise and sustain the same mill during the said term and return it to the Earl and his heirs ' stiff and staunch.'

May 12, 1427.

2) Indenture between James, Earl of Ormond, and Richard fitz John, witnesses that the Earl has granted to John his manor of Drumdowny with the ferry of Camnok, and all demesne lands belonging to the same, and approach so as to build and construct a weir in the water there. To have and to hold for the term of eleven years, rendering yearly twenty shillings silver. Richard shall well and truly keep up the houses within the manor and the lands, and construct the weir, and return them at the end of the term to the Earl and his heirs ' stiff and staunch.' And he shall make no destruction of the rabbit-warren or growing wood there during the said term, and if he die before the term is complete then all shall return to the Earl or his heirs.

March 7, 1426.

3) Indenture between Walter Shirlok, seneschal of the lands of James, Earl of Ormond, and Shane Teysler, witnesses that the seneschal has granted and to farm let to Shane the townland (*villam*) of Kilgrallan for the term of twelve years, paying yearly therefor to the said Earl twenty-four shillings silver; also rendering a fat pig (*porcum ponag'*) and a summer sheep with the customs of one tenant yearly during said term. He shall also sufficiently build, repair and sustain the buildings and return them

at the end of the term and make no waste or destruction in the growing wood.

March 14, 1426.

4) Indenture between James, Earl of Ormond, on the one part and Walter Shirlok and Rose his wife on the other, witnesses that the Earl has granted and to farm let to Walter and Rose two water mills in the town of Kilkenny, called ' le Towyn Myle ' and ' Mawidleynmyll,' together with the dove-cot of Earlesmede and the office of master miller of the said mills (*unacum officio magistralis molendinarii molendinorum predictorum*). To have and to hold for the term of their lives or either of them, rendering yearly 4*l.* silver. (Provisions for upkeep and return).

January 12, 1425.

5) Indenture between James, Earl of Ormond, and William Archer, witnesses that the Earl has granted and to farm let to William the stone mills in Kilkenny which are called ' le Stonmyllys ' together with the water course of the same with all appurtenances, for the term of his life, rendering yearly eleven marks silver. The Earl also grants him full power to have timber in his woods for repairing the said mills during above term.

May 4, 1426.

6) Indenture between James, Earl of Ormond, and William fitz Oliver, witnesses that the Earl has granted and to farm let to William his manor of Meillagh, together with a mill there and all tenements, lordships, rents and services which he has in Leynagheston, Lomak, Coreston, Hopkyneston and Saundryeston, together with all appurtenances, issues, profits of court and customs in any way belonging to the Earl, for the term of twelve years, rendering therefor yearly eight marks silver. William and his heirs shall make, raise and construct the manor with its ditches and fences and repair and sustain the mill, houses and edifices, during said term, and so return them at the end of the term. And if it happen that the manor, mill or town be burned, preyed or in any way laid waste by Irishmen or rebels of the King, then the present indentures shall be of no effect.

March 31, 1427.

7) Indenture between James, Earl of Ormond, and Agnes Hervy (? : *faint*), witnesses that the Earl has granted and to farm let to Agnes his mill of Carrick together with a place for building a new one near the castle of Carrick, and for providing timber and stone for covering walls and sides (*lateribus*), and also water for the said mill and all other necessaries. To have and to hold for the term of her life without rent. (Usual provisions for upkeep and safe return).

March 18, 1427.

8) James, Earl of Ormond, for the sake of his soul and his ancestors' grants to David, abbot, and the convent of the monastery of the B.V.M. of Jerpoint and their successors for ever, in free and perpetual alms, the whole lordship and service with their rents in Dennesland and Tredineston. To have and to hold to them and their successors for ever with all rents and appurtenances which the Earls have been accustomed to receive there.

May 4, 1429.

9) Indenture between James, Earl of Ormond, and Donald Macglanghy, jurisconsult, witnesses that the Earl has granted to Donald for the good service and faithful counsel of his faculty rendered and to be rendered to the Earl and his heirs in future, all messuages, lands and tenements which the Earl has in 'le Greggy,' Leghballi, Sucheston and Mayneston with a parcel called Walteresland with all their appurtenances. To have and to hold to Donald and the heirs male of his body lawfully begotten, having the same faculty. If he die without heir male so begotten, the above messuages, etc., to revert to the Earl.

In margin in later hand : Cregg, Laghbally, Sucheston and Mayneston.

Note : This grant of lands to a member of an hereditary family of Brehons is particularly interesting. Professor T. F. O'Rahilly shows that the MacGlanghy (Mag Fhlannchadha) family were the Earl of Ormond's brehons in the sixteenth century. (*See* his paper on *Irish Poets, Historians and Judges in English Documents*, 1538–1615, in the *Proceedings of the Royal Irish Academy*, June, 1922). Here we see an Anglo-Norman lord admitting to freehold estates in his territory a trained member of the Brehon order so as to

deal with cases arising under Irish law among his native tenants and vassals, and, by the grant to Donald and his heirs recognising the hereditary descent of these learned septs.

The latin text is as follows.

" Hec indentura facta inter dominum Jacobum le Buteler comitem Ormond ex una parte et Donaldum Macglanghy juris peritum ex parte altera testatur quod predictus Comes concessit prefato Donaldo pro bono servicio et fideli consilio sue facultatis eisdem comiti et heredibus suis inposterum inpendendo omnia messuagia terras et tenementa que habet in le Greggy Leghballi Sucheston et Mayneston cum quadam parcella vocata Walteresland cum omnibus suis pertinenciis habenda et tenenda eidem Donaldo et heredibus masculis de corpore suo legitime procreatis eandem facultatem habentibus et eidem comiti et heredibus suis bene et fideliter seruientibus de capitalibus dominis feodi illius per seruicia inde debita et consueta. Et si predictus Donaldus obierit sine herede masculo de corpore suo exeunte paternam facultatem habente quod tunc omnia messuagia terre et tenementa predicta cum omnibus pertinenciis ad prefatum comitem et heredes suos integre revertantur prouiso semper quod si aliqua dampna aut expensa in futuro per aliquos homines cum eorum sequela predicto Donaldo venientes et secum propter hospitalitatem aut alio quouismodo morantes supra tenentes dicti comitis vel heredum suorum quod tunc predictus Donaldus et heredes sui satisfaciant predicto comiti et heredibus suis de dampnis et expensis predictis et tenentibus factis et illatis. Nolumus enim quod predictus Donaldus nec heredes sui [in ?] cur . . . de Leghbaly nullo modo se intromittant seu aliquis eorum intromittat in futuro. Et ad convencionem predictam bene et fideliter ex utraque parte tenendam et obseruandam partes predicte presenti indenture sigilla sua alternatim apposuerunt."

[Deed is undated. Number 21 of these entries shows the Earl granting some lands in ' le Cregg ' etc. to one Patrick de Pantry in September 1428, but that the above Brehon family got a permanent estate in county Kilkenny seems certain].

(Second skin begins.)

10) Indenture between James, Earl of Ormond, and Richard Purcell, witnesses that the Earl has given and granted to Richard

for the term of his life the office of constable of his castle of Baligaverane (Gowran), together with all fees and rewards pertaining to the same ; also cultivated land (*cultura*) for one plough of said Richard on the demesne lands there viz. sixty acres, without rent. Richard by himself, or two able and sufficient esquires (*valettos*) at least in his absence, shall well and faithfully keep and repair the above castle at their own costs.

January 1, 1432.

The latin text of this interesting deed is as follows.

" Hec indentura facta inter dominum Jacobum le Botiller comitem Ermonie ex una parte et Richardum Purcell ex altera parte testatur quod prefatus comes dedit et concessit prefato Richardo ad terminum vite sue officium constabularii castri de Baligauerane unacum omnimodis feodis et regardis ad dictum castrum qualitercumque spectantibus ac eciam culturam ad unam carucatam ipsius Richardi de terris dominicis suis ibidem infra manerium sexaginta acras absque aliquo redditu inde reddendo. Et predictus Richardus per se ipsum et duos abiles et sufficientes valettos ad minus in absencia sua ad custos suos proprios castrum predictum bene et fideliter custodiet proteget et defendet et predictum castrum sustentabit et reparabit sumptibus suis durante termino predicto. Percipiendo idem Richardus in officio predicto et pro bono seruicio suo eidem comiti actenus impenso et imposterum impendendo decem marcas argenti de redditu burgagerie ville de Baligauerane annuatim ad duos anni terminos, videlicet Pasche et Michaelis Archangeli equis porcionibus solvendas per manus Senescalli dicti domini comitis qui pro tempore fuerit durante termino vite sue. Et predictus dominus comes concedit per presentes quod dictus Richardus cum omnibus bonis et catallis suis infra castrum predictum et in dominicis predictis existentibus liber sit et quietus de omnimodis subsidiis tollagiis coignes liberationibus ac aliis oneribus quibuscumque sibi imposterum impondendis. Et ad conuenciones predictas ex utraque parte bene et fideliter tenendas et obseruandas partes predicte presentibus indenturis sigilla sua alternatim apposuerunt. Data primo die Januarii anno regni Regis Henrici sexti decimo."

11) James, Earl of Ormond, grants to David, abbot of Jerpoint, his whole lordship and service in Dennesland in Tredineston, to

have and to hold for the term of his life. Rendering yearly therefor two marks silver.

Given on the 4th day of March in the 10th year of Henry VI.

March 4, 1432.

12) James, Earl of Ormond, gives and grants to his faithful knight (*armigero*), James Maidewell, for his good service done and to be done in future, an annual rent of a hundred shillings silver out of the lordship of Carrickmagriffin and Newton de Lynnane in Iff[a] in county Tipperary, for the term of his life.

December 10, 1432.

13) James, Earl of Ormond, gives and grants to his faithful knight Walter Glerne for his good service six marks silver yearly out of all the Earl's lands, tenements and rents of the townlands of Lozghome (*sic*) and Illud as well as all his lands, etc., in lower Overk, for the term of his life, to be paid by the hands of the Earl's seneschal.

March 11, 1433.

14) James, Earl of Ormond, gives and grants to Raymond fitz Oliver for his good service and that of an able squire (*valetti*) eight marks, namely six for himself and two for the squire yearly, to be paid him by the hands of the Earl's seneschal out of the lands of Laynagheston and Meidlagh.

December 12, 1432.

15) James, Earl of Ormond, grants and to farm lets to Master John Coke a meadow called ' le Gibetmede ' near Kilkenny for the term of his life, rendering for the next four years yearly one red rose and thereafter for the term of his life twenty shillings silver.

Given at Carrick on the 15th day of March in the 12th year of Henry VI.

March 15, 1434.

16) The ferry of Rosbargon is granted to Raymond Devenysh for the term of eight years, rendering yearly a half mark silver.

February 10, 1440.

Dorso : Ferry of Rossbercon.

17) Dunfenane and Polrothane with a certain weir called " Corneyll " are granted to Malachy O'Fynnyn by James, Earl of Ormond, for the term of five years rendering yearly seven marks silver. The Earl to allow thirteen shillings and four pence yearly to Malachy during the said term on account of damages inflicted upon him by Edmund Roth Botiller.

September 25, 1441.

18) Indenture made on the 3rd day of June in the 5th year of Henry VI between James, Earl of Ormond, and Philip Caserdy witnesses that the Earl has granted, leased and to farm let to Philip his manor called Ontonesrath, even as Walter Cantwell held it. To have and to hold for the term of his life, rendering yearly therefor fourteen shillings. Philip to hold and maintain the castle and houses there ' stiff and staunch ' and make ditches and hedges there as is befitting at his own cost, unless destroyed by the war of enemies. Also he shall find and have a cowherd (*bubulcum*) and a shepherd for guarding the cows and sheep of the Earl and his heirs for the said term at his own cost. Also the Earl will exonerate Philip with all his goods and chattels from all ' coynys ' and subsidies and burdens whatsoever commonly running or arising in county Kilkenny during said term.

June 3, 1427.

19) James, Earl of Ormond, grants to Maurice Aveneis the office of constable of his town of Carrickmagriffin in county Tipperary for good and faithful service rendered. To have and to hold for the term of his life, receiving an annual pension of four marks silver out of the rents and issues of the said town by the hands of the Earl's reeve there, together with the customary fees, rewards and profits of the office. Also forty acres of arable land in the Earl's demesnes there.

Given at Kilkenny on Monday next before St. Patrick's day in the 5th year of Henry VI.

March 10, 1427.

20) James, Earl of Ormond, grants to his faithful knight (*armigero*) Patrick Folyn for the good and faithful service rendered

three pounds six shillings and eight pence silver yearly, to be paid out of the Earl's rents and issues of ' le Iraght et hill de Callan ' in county Kilkenny by the hands of the seneschal.

August 31, 1428.

21) There are granted to Patrick de Pantry by the Earl of Ormond the town of Cregg with one hundred and twenty acres of land in ' le Cregg,' eleven acres in Mayneston, twenty acres in Leghbally Sucheston with sixty acres in Sucheston, and fourteen acres of land called Walteresland. To have and to hold for the term of his life, rendering eight marks silver yearly.

September 1, 1428.

[Compare No. 9 of these entries.]

22) James, Earl of Ormond, grants to his faithful knight Richard Vale for good service the office of constable of his castle of Carrickmagriffin, and the ferry there, together with the usual fees, customs and rewards. To hold for the term of his life, receiving ten marks silver yearly by the hands of the Seneschal out of the Earl's lands and tenements in Carrick ' in Oveorc,' the manor of Ballibothy excepted, rendering sufficient fuel for the Earl's hostel as other constables have been wont.

August 30, 1428.

23) The townland of Morgheston is granted to David Walshe and John Frankleyn to hold at the will of the Earl without rent for the first year, and after that for each year in which they shall hold it at the Earl's will a half mark silver ; rendering yearly also one summer sheep and one fat pig (*porcum ponag'*). To be quit for the first three years of all tallages and subsidies in any way arising. They shall repair and rebuild a suitable house within said town at the cost of the Earl and leave it with its edifices to the Earl or his heirs ' stiff and staunch ' at the end of the term.

March 20, 1429.

24) Mem. quod Walterus Shirlok ordinat pro Thoma pomerario nostro iiii acras et i estang, de terris nostris iuxta Carrik absque aliquo inde reddendo seu onera (*sic*) portand.

Datum sub signeto nostro apud Balihak xxiiii die Septembris.

25) A parcel of a free tenement of Geoffrey More Graunt in Neweton near Grannagh is granted by the steward of the Earl of Ormond to said Geoffrey at the yearly rent of eight shillings silver.

September 29, 1429.

26) William O'Crechane and Shane O'Crechane are bound before Walter Shirlok, the Earl's seneschal, to build three houses on their holding (*domos tenure sue*) near Rathpatrik within the next eight years and to leave them ' stiffe and staunche ' at the end of the term.

October 30, 1431.

27) The holding once Remok Shengill's is granted to Thomas Walsh on Thursday next before Epiphany in the 10th year of Henry VI. Rendering yearly four shillings silver and the customs of a tenant, viz. one fat pig and one summer sheep.

January 1432.

28) James, Earl of Ormond, gives and to farm lets to John Beke (?) and Isabella his wife his weir near ' le Gibetmede,' together with islands and water course pertaining to the same. To have and to hold for the term of four years, rendering yearly therefor one red rose.

Given at Carrick on the 15th day of March in the 12th year of Henry VI.

March 15, 1434.

67.

Pleas held at Clonmel before Theobald le Botiller, seneschal of the Liberty of Tipperary, on Thursday next before St. George's day in the 3rd year of Henry VI. [April 19, 1425.]

The cases are of the usual nature, namely pleas of debt, unlawful detention, robbery, bloodshed, etc. The writing is much faded. In one case Richard, archbishop of Cashel, sues Edmund Roth Purcell and Ranyll O'Soleghane on a plea of trespass. Among the names are Robert Flemyng, John Walsch, Peter son of Oliver

Comyne, Robert, prior of Athassel, Robert son of David Wodelok, Edward Rede, Richard Cardyff, Robert Barry.

The most interesting entry is a royal writ of admittance to English law and liberty made by Roger Mortimer, lord Lieutenant, in 1396. Evidently the recipient was a subject of the Earl of Ormond, hence the writ is proclaimed and repeated in his court. The latin text is as follows.

" Ricardus dei gracia Rex Anglie et Francie et Dominus Hibernie omnibus ballivis et fidelibus suis ad quos presentes littere pervenerint salutem. Volentes dilectum ligeum nostrum Patricium O'Bergy capellanum de nacione sanguinis hibernicalis existentem ut dicitur favore prosequi graciose de gracia nostra speciali concessimus pro nobis et heredibus nostris quantum in nobis est eidem Patricio quod ipse sit liberi status et libere condicionis et ab omni servitute hibernicali liber et quietus et quod ut verus anglicus teneatur et tractetur ac respondeat et respondeatur in quibuscumque curiis terre nostre Hibernie ac gaudeat et utatur lege anglicana in omnibus sicut veri anglici in dicta terra nostra eis gaudent et utuntur quodque ipse ad quecumque beneficia ecclesiastica in eadem terra nostra promoveri ac illa acceptare habere et libere possidere necnon eis et fructibus eorundem gaudere possit condicione hibernicali seu quocumque statuto inde in contrarium facto non obstante. In cuius rei testimonium has litteras nostras fieri fecimus patentes.

Teste Rogero de Mortuo Mari comite Marchie et Ultonie locum nostrum tenente in terra nostra Hibernie apud Dublin ' vicesimo die Februarii anno regni nostri decimo novo." [February 20, 1396.]

April 19, 1425. Allo(cutum : ?).

68.

Three Deeds.

1) John Keppagh gives and grants to Ralph Archer, cleric, and his heirs all his claim in one messuage and five acres in the lordship of Dunfert which formerly belonged to Henry Fleming of the same town. Which messuage lies outside the south gate of said town in the corner near the highway which leads towards Waterford. Of the five acres two and a half lie near . . . a boundary (*metam*) which lies between the land of the Earl of

Ormond and the land of the Bishop of Ossory in length, and the other two and a half acres lie near the valley which leads towards the water which is called 'Corne' in length, and in breadth between the land of the said Earl. To have and to hold to the said Ralph and his heirs of the chief lords of the fee for ever.

Witnesses: John Hanry, John Fleming, Thomas Nangle and William Prendergast.

Given at Dunfert on the 10th day of February in the 4th year of Henry VI.

February 10, 1426. Seal.

2) Deed of attorney appointing Robert Herford of Dunfert for placing Ralf Archer in seisin.
Same date and place.

3) John Keppagh 'de combusto' quit-claims to Ralf Archer as above.

Given at Dunfert in the feast of SS. Philip and James in the 4th year of Henry VI.

May 1, 1426.

69.

Walter Stantoun, chaplain, gives and grants to John Waas, chaplain, for ever all his lands, etc., in Kylfane, formerly belonging to Nicholas Ponxe.

Given on the 12th day of March in the 4th year of Henry VI.

March 12, 1426. Seal perfect.

70.

Rental of the Earl of Ormond and the Earl of Stafford.

Rental of the lordship of the Earl of Ormond in counties Kilkenny and Tipperary from Easter term in the 4th year of Henry VI.

The names of the tenants are as follows:

William Fleming, David Walsch, Thomas Beg and Shane Bretanagh, William Taillour, Thomas Rewagh of Illid, Henry Swetman, Walter Walsch, Gillecron, Odo O'Murghe, McCraygh,

Macryne McEgeaslee for the farm of Polrothane, Ardcloyne, Dunsinane and the lord's messuage and land in Fydowne, Shane Teisler, Genkyne Mcyraghty, William More Walsch, Donald Dyr, David Prendyrgast and Philip Dackesson for Portne, Andrew O'Laure, Richol O'Kynnety, Jonok Blundell, Shane O'Brodyr, Nicholas O'Hee for Ballylogh, from Ballyseagh, Philip Fors and David Walsch.

Total 7*l.* 7*s.* 6*d.*

William Walsch for the farm of Cloggagh ; Mabina Cogane for the farm of Ballysallagh ; from the moiety of the chief rent of Flemyngestoun ; the cultivated land (*cultura*) of Newtown ; the cultivated land of Clonasse ; chief rent of Cloyntour ; chief rent of Kilgragane ; chief rent of Kylcrone ; chief rent of Bewle, chief rent of William Walsch of Polrothane, chief rent of Dowyngawyll ; chief rent of Portynhill, chief rent of Fydowyn ; chief rent of Henreston in Odaa ; the ferry of Cammoke ; chief rent of Portnescall.

Total 3*l.* 8½*d.*

Rent of the burgagery of Carrick, 59*s.* 4*d.* ; the fines there 6*s.* 8*d.* ; the oven (*furnagio*) there, 3*s.* 4*d.* ; the mill there, nothing ; rent of the demesnes of Carrick, 18*d.* ; rent of acres formerly belonging to Nicholas Stokes 10*s.* ; farm of Newton ; chief rent of Monydayff ; chief rent of Matynestoun ; chief rent of Richardestoun ; the farm of Monybyrtane.

Total 5*l.* 15*s.* 7*d.*

Rent of the burgagery of Rosbergon 24*s.* 4*d.* ; of the demesnes there, 9*d.* ; the ferry there, 5*s.* ; the farm of Whitestoun ; of Kylgrallane ; chief rent of Ballicoyng.

Total 45*s.* 1*d.*

Chief rent of the Irraght of Callan, 5*s.* 4½*d.* ; the farm of Keppaghedyne ; of Kylhale ; of Williesgrage ; of Moregrage ; the prise of ale there 6*s.* 4*d.* ; the cottage ' del Hill ' 15*s.*

Total 4*l.* 15*s.* 0½*d.*

Rent of the burgagery of Knocktopher, 48*s.* 10*d.* ; of the demesnes there, 50*s.* 2½*d.* ; forensic rent, 7*s.* 7¼*d.* ; the mill,

nothing ; chief rent of the Barony there, 42*s.* 7*d.* ; Hugonestoun ; Balygurdy ; Hodesland ; Ethokesland ; Carmerthynestoun.

Total 9*l.* 11*s.* 10¾*d.*

Chief rent of Kylcryne ; of Newhous ; of Drakeland ; the farm of the stone mills, 2*l.* 14*s.* 4*d.* ; farm of Mawdelynmyle and Towynmyle ; farm of the river there ; McRebur's messuage ; John Meyson's messuage ; ' les Inchis ' there ; William fitzOliver for the farm of the lordship of Meillagh, 3*l.* 6*s.* 8*d.*

Total 9*l.* 10*s.*

Rent of the burgagery of Balligaverane, 13*l.* 6*s.* 8*d.* ; farm of the mills ; rent of the demesnes, 22*s.* ; issues of the Hundred, 8*s.* 5*d.* ; chief rent of the Barony there, 23*s.* 5½*d.* ; Deynyslond, 26*s.* 8*d.* ; Tredynestoun.

Total 18*l.* 14*s.* 9½*d.*

Rental of the Earl and Countess of Stafford for the same term (in full).

Rent of the burgagery of the town of Kilkenny .	6*l.*	6*d.*
From the issues of the Hundred of the same .	17*s.*	3*d.*
,, ,, rent of St. John's street . . .	47*s.*	
,, ,, ,, ,, Thomastown . . .	8*s.*	
,, ,, ,, ,, the burgagery of Jerpoint .	12*s.*	
,, ,, ,, ,, the mountain there . .	3*s.*	4*d.*
,, Oldtown	20*s.*	
,, Ganlane	3*s.*	4*d.*
,, Balilaure	9*s.*	
,, Newhame	5*s.*	
,, Ballidowyll	13*s.*	4*d.*
,, Rosmore and Ballilayne . . .	13*s.*	4*d.*
,, the rent of the burgagery of Coillagh .	26*s.* (*faint*).	
,, a messuage in Callan . . .		6*d.*
,, two acres of meadow in Callan . .		7*d.*

Total 14*l.* 16*s.* 3*d.*

Total sum 177*l.* 4*s.* 2¼*d.*

April, 1426.

71.

Thomas Brode of Nywehonte (*sic*) gives and grants to John fitz William Schorthals for ever all his messuages, lands, etc., in Hugyneston in the barony of Balligaverane.

Given on the last day of September in the 5th year of Henry VI.

September 30, 1426. Seal.

72.

Letters patent of James, Earl of Ormond, Lord of the Liberty of Tipperary.

" Know that William Britte of Oleghane in county Cork and John son of William Britte lately in the court of our Liberty before William son of Peter le Botiller, our seneschal, in the assizes held at Clonmel on Monday next after the feast of SS. Philip and James in the 5th year of Henry IV [May 5, 1404] were indicted for divers transgressions and felonies, perpetrated by them within our said Liberty as is said, by process continued on the same indictment according to the laws and customs of the same Liberty, until they were placed in exigence for outlawry and on that pretext were outlawed, namely on Wednesday next before the feast of the Ascension of our Lord in the 6th year of Henry IV [May 27, 1405] as by tenour of the record of process of the same outlawry which we had brought into the Chancery of our said Liberty for certain reasons at our command. We now however certify to you by these presents the outlawry publicly proclaimed against the same William and John.

In witness whereof we have had these our letters patent made.

Witness ourself at Clonmel on the 20th day of November in the 5th year of Henry VI."

November 20, 1426.

73.

Two Deeds.

1) Edmund fitzThomas Botiller, knight, gives and grants to William Avenell, chaplain, Thomas Broun, chaplain, John Rowe, Richard Saundir, Thomas Gower and John Walsh all his messuages, lands and rents in Schanbogh in county Kilkenny.

To have and to hold to them and their heirs for ever at a half mark silver of annual rent.

December 4, 1426. Seal.

2) William Avenell, chaplain, Thomas Broun, chaplain, John Rowe, Richard Saundyr, Thomas Gower and John Walsh, having lately granted to John Broun, cleric, all messuages, lands, etc., which they had in Schanbogh for the term of his life, now give and grant to Edmund fitzThomas Botiller, knight, the reversion of all the aforesaid messuages, lands, etc., to hold of the chief lords of the fee.

December 7, 1426. Four seals intact.

74.

Magina Coll, daughter and heiress of Maurice Coll, formerly burgess of Ross, relict of David Whyte, lately defunct, in her liege viduity quit-claims for herself and her heirs to Richard Broun and Margaret Hore his wife all her right in an acre of meadow in the borough of Ross, which acre stretches from the water commonly called ' le Berow ' on the west side to the King's way on the east, and in breadth between the meadow of Mawd Rossell on the south side and the meadow of David Sottoun on the north, to them and their heirs for ever.

Witnesses : William Maii, sovereign of the town of Ross, Sir Thomas Wyot, rector of Whytcherche, Thomas Benet, Henry Smith, James Coll, Andrew Furlong, Thomas Tournour.

Given at Ross on the 21st day of March in the 5th year of Henry VI.

March 21, 1427.

75.

Magina Coll *alias* Baronage in her pure viduity gives and grants to Nicholas Burton, burgess of Ross, all lands, tenements, gardens, orchards, meadows and pastures which she has in the town of Ross both within and without the walls, and all her other goods movable and immovable. To have and to hold to Nicholas, his heirs and assigns for ever of the chief lords of the fee.

Witnesses : Henry Brakeley, then reeve (*preposito*) of Ross,

Thomas Benet, William Bottiller, Sir William Lidy, chaplain, and James Furlong.

Given at Ross on the 27th day of September in the 6th year of Henry VI.

September 27, 1427. Seal.

76.

Willig Sentleger gives and grants to Henry Sentleger of Kilkenny the manor of Lewghill, Ballioskill, Castellwarynge and Rosconell, Knoccanerewere (?), Lackneshetry, Ballihamson, Aghnegreni, Ballipyckase, Lysnegrene, etc., (*illegible*), together with the advowson of churches and chapels. To have and to hold to him and the heirs male of his body of the chief lords of the fees. Remainder successively to William fytz (son of) Henry Sentleger, Edmund fitzJohn Sentleger, James Sentleger brother of Edmund, Patrick Sentleger and John Sentleger of Ballygowgan. If all these die successively without heirs male of their bodies, the remainder to the grantor and his right heirs for ever.

Witnesses : Thomas Sherlok, James Coterell, John Rothe and Sir William Walsch.

March 8, 1428. Seal.

77.

Inquisition taken before William le Botiller, seneschal, at Clonmel on Wednesday next before St. Brandon's day in the 6th year of [? Henry VI] by Maurice Mac Richard fitz Mayo, Roger Fraunceys, Shane Clenwatre, Walter O'Gawane, Shane Mac Casberne, Dermot O'Murgho, Shane Reuagh of Balloske, Shane Crok of Balloske, Shane Cousyne of Balloske, Thomas son of William Roch Crok, William son of Milo More Crok, Stephen Crok. Who say on oath that Thomas Mac Mayous Roth Crok and John son of Robert Mac Adyne Crok with their followers before the feast of the Nativity in the 6th year of Henry VI at Mogawyr feloniously robbed Walter O'Gawane of forty rods (*virgis*) of Irish cloth, price (*faded*), one plate, price 2*s*., two tripods 3*s*., and other goods to the value of 100*s*.

Also they say that Shane Nagreen Crok with their following at Easter (? same year) at Mogawyr feloniously robbed Margaret

daughter of William Haket of two farm beasts each worth a half mark. Also that Milo Crok, David (*faded*), Fyn O'Doulyn, Philip Mac Adyne Crok and James son of Robert Mac Adyne Crok and William Bege Crok, on Wednesday next after the feast of (*faded*) at Mogawyr feloniously robbed Roger Franceys and Shane Clenwatre of sixty cows each worth 5*s*., twelve farm beasts worth (*faded*) and made their pleasure with them.

Also that Adam Crok, Shane Nagreene Crok, Meiler Mac Adyne Crok, Henry Mac Adyne (*faded*), Gillekele Crok, and Mactyre Crok on Friday next after the feast of the Invention of the Holy Cross in the 6th year of Henry at Mogawyr robbed Margery Haket of three farm beasts each worth half a mark. And that said felons after the felonies were received with Thomas Mac Willuk Roth Crok, William Mac Myll Crok, Geoffrey Roth Crok at Boryn near Drogane and afterwards with Adam Coppagh, etc.

May 12, 1428.

78.

Court of James, Earl of Ormond, held at Knocktopher on Thursday next after St. Canice's day in the 7th year of Henry VI before Walter Shirlok, seneschal of all the Earl's lands in county Kilkenny and elsewhere in Ireland: on which day Richard Prout, bailiff and attorney of Emma Flete, and Richard Fyll, came in person before the same seneschal, declaring that on Tuesday next before the feast of the Assumption of the B.V.M. in the 6th year of Henry VI. [August 12, 1428] in the Monastery of the B.V.M. of Jerpoint by the judgment of Richard son of Geoffrey Walsh and Thomas Fyll they took their oath on the gospels before the said Richard Walsh and Thomas Fyll and Thomas Holestre that they would appear on the abovesaid Thursday in the same court to seek, have and hear the inquisition and verdict of twelve lawful men both freeholders and gavellers of the same barony, and to await jurisdiction and judgment of same court according to the force and effect of the verdict on certain causes and articles as follows, namely that the said Richard Proute as Emma's bailiff says that Richard Fyll unlawfully and without reasonable cause holds of the said Emma four acres of arable land with appurtenances lying in the field called ' le Skardagh ' in the tenement of Robyneston within the barony of Knocktopher, because the said land was a parcel of sixty acres which lately descended to Emma

by reversion as right heir of Nicholas fitz John by virtue of a certain entail made by said Nicholas and was thereof seised. He therefore asks that the abovesaid four acres should be restored to him as the right of Emma together with damages. Richard Fyll answers that said land is not a parcel of the abovesaid sixty acres which descended to Emma, but is a parcel of fifteen acres which he has of the gift and enfeoffment of Arnold Cogan in Robyneston and he holds this as his own right and seeks to have it proved.

Richard Proute says that said Arnold never was seised in part or whole of the said land nor had any power to sell that land or to alienate it to any one and that it is not a parcel of the said fifteen acres but that it is a parcel of the abovesaid sixty acres, etc.

The two parties agreed by unanimous consent that if it is found by verdict of twelve lawful men on the same Thursday that said land is a parcel of sixty acres as above then it shall be lawful for Emma to enter upon the said land and to possess it for her and her heirs for ever without any challenge or claim. Similarly if it is found to be a parcel of fifteen acres as above Richard Fyll shall possess it to him and his heirs for ever. And to this both parties bound and submitted themselves. So it was resolved by the court that the truth should be verified by the following : Thomas Bathe, junior, Thomas son of William McGriffyn, William Flemyng, John Nongill, Geoffrey Thundyr, Eustace Howlyn, Richard son of John son of Philip McGriffyn, Richard Doune, William Archer, Reygnagh Thundyr, David Dorref, John Wollaghan, jurors. Who say on oath that the whole land of Scardagh as above is a parcel of the sixty acres which descended to Emma Flete and not a parcel of the abovesaid fifteen acres and that Arnold Cogan was never seised of the said lands. So it is resolved by the court that Emma shall occupy the four acres to her and her heirs for ever. In witness whereof the seals of said seneschal and jurors are affixed to these presents.

October 14, 1428. Of the original thirteen seals ten are still in good order.

79.

Elena, daughter and heiress of Robert de la Freigne, knight, in her liege viduity quit-claims to James, Earl of Ormond, all her

right in the manor of Lesterlyn and the advowson of the church there, to him and his heirs for ever.

'And because my seal is to many unknown the seal of the Bishop of Ossory is at my request set to these presents.'

November 4, 1428. Seal of Bishop.

80.

John Blakeney quit-claims to James, Earl of Ormond, and Johanna his wife, countess of Ormond, and their heirs all his claim in a messuage with gardens annexed lying in the parish of St. Brigid in the suburbs of Dublin, which messuage is called "Loughteburghesinne." And because his seal is to many unknown he has had affixed that of the reeveship (*prepositure*) of the same city.

Witnesses: Henry Fortescu, Chief justice of the King's Bench (*capitali justiciario de placea domini Regis Hibernie*), James Cornewaleys, Chief baron of the Exchequer, Thomas Shorthals, mayor, and Thomas Benet, bailiff of the same city.

December 1, 1428. Two seals: one apparently of reeveship of Dublin.

81.

Richard Horihan quit-claims to John son of Richard Tobyn of Barlesky all claim in all his messuages, lands and tenements in Kylamery to him and his heirs for ever.

Given on the feast of St. Dallan in the 7th year of Henry VI.

January 29, 1429. Seal.

82.

Three Deeds.

1) James, Earl of Ormond, gives and grants to Hugh Bavent and Thomas Whitesyde, clerics, his manors of Turvey, Courdoff, Balyscadane and Russh and half the manor of Portrarne (Portraine), to have and to hold to them and their heirs for ever.

Given on the 9th of November in the 7th year of Henry VI.

November 9, 1428. Earl's seal.

2) James, Earl of Ormond, gives and grants to Hugh Bavent and Thomas Whitesyde, clerics, the manor of Blakecastell, to have and to hold to him and his heirs for ever.

Given on the 9th day of February in the 7th year of Henry VI.

February 9, 1429. Earl's seal.

3) Deed of attorney by James, Earl of Ormond, appointing Maurice Aignell [? Avenell] and John Castell his attorneys for delivering and placing Hugh Bavent and Thomas Whitesyde, clerics, in full seisin of his manors of Turveye, Courdoff, Balyscadane, Russh, Blakecastell and half the manor of Portraine, to have and to hold to them and their heirs for ever.

Given on the 9th day of February in the 7th year of Henry VI.

February 9, 1429. The Earl's seal almost perfect.

83.

Inspeximus, dated 8 Henry VIII, of a final concord made in the King's Court at Dublin in the 7th year of Henry VI.

" Henry, King etc., to all etc., greeting. We have inspected a foot of fine (*pedem cuiusdam finis levati*) made before James Aleyn, knight, John Bateman and Thomas Seys, justices of the King's common Bench of Ireland, the tenour of which follows. ' This is the final concord made in the King's Court at Dublin in the Octave of the Purification of the B.V.M. in the 7th year of Henry VI, before James Aleyn, knight, John Bateman and Thomas Seys, justices, etc. (as above) and others then present, between Hugh Bavent and Thomas Whitesyde pleading (*querentes*) and James de Botiller, Earl of Ormond, and Joan his wife, defending (*deforciantes*), touching the manor of Blakcastell, concerning which a plea of convention was summoned between them in the same court, viz. that the Earl and Joan recognized said manor to be the right of the same Hugh as that which he and Thomas have of the gift of the Earl and Joan, and for this recognition Hugh and Thomas granted the said manor to the Earl and Joan and returned it to them in the same court, to have and to hold to them and their heirs, etc. And if the Earl and Joan shall

die without heirs of their bodies, then said manor to remain to the right heir of the Earl. And if the Earl die without an heir of his body then to the right heirs of the Earl for ever. And for this grant, return, fine and concord the Earl and Joan gave to Hugh and Thomas one sore sparrow-hawk. We then have thought fit to exemplify the tenour of this fine at the request of Humfrey Colles. In witness whereof we have had these our letters patent made.'

Teste Richard Delahyde, Chief Justice of the Common Bench of Ireland, at Dublin on the 20th day of November in the 8th year of our reign."

Ex. per Johannem Geffery et Geraldum Dyllon clericos.

February 9, 1429.

November 20, 1516. Great seal, apparently Richard III.

[A second inspeximus of the same foot of fine, tested by Richard Delahyde, Chief Justice, at the request of Bartholomew Dillon of Riverstown, dated October 26, 1529, repeats the above].

84.

1) Letters patent of Henry VI (in latin) appointing James, Earl of Ormond, Lieutenant of Ireland.

" Know that we, trusting in the fidelity and wisdom of our dear cousin James, Earl of Ormond, have appointed him our Lieutenant of Ireland from the first day on which he shall land there to the end of two years from this present date. Giving and granting him power to guard our peace and the laws and customs of that land and to do all and sundry to bring into our peace both English and Irish of that land and to punish them according to the laws and customs of that land or according as may seem best to him for our profit in the rule of our said land and of our lieges and subjects there. And to summon and convoke parliaments and councils in said lands as often as shall seem necessary in places where it seems best to hold them, summoning before him to parliament, prelates, magnates and others who ought to come

to such parliaments to make statutes and ordinances there for the good rule of the land, according to the custom of the same, by assent of prelates, magnates and others aforesaid.

Also for proclaiming in the said land by our writs of the same our royal services and all such services according to the due custom of the same and to punish those who are delinquent. Also to proclaim as often as shall be necessary that all and sundry who have any annuities or fees of our gift or of our predecessors shall be prepared to set forth to ride and to labour with the said lieutenant within the said land for receiving and admitting to our peace both English and Irish who are rebels to our said land and customs. And to make and grant full pardon for all or each of such persons seeking for our peace, both generally and particularly for treasons, homicides, robberies, felonies, murders, rapes, thefts, false allegations, adhesions, outlawries, transgressions, contempts, conspiracies and other rebellions, etc., etc., perpetrated by them in our said land of Ireland, according to the laws and customs of the same. Otherwise to punish such refusal to come to justice with royal power if necessary. Also to grant all lands and tenements of rebels confiscated or to be confiscated to us to suitable persons who shall faithfully stand to our allegiance and obedience at farm or reasonable rent to be paid to us by advice of our council for ever or for a term of years. Also full power to supervise all ministers or officers in Ireland, to remove those who are useless and to put others who are useful and suitable in their places—excepting our Chancellor and Treasurer there. And granting sufficient victuals for the expenses of his soldiers and household in any place within the said land by purveyors of his household and others his ministers together with sufficient carriage both within liberties as without—the fee of the church excepted—payable at reasonable prices according to the form of divers statutes made with regard to purveyors before this time. Also to do and ordain all and sundry what is meet for the salvation of our land and people there.

In witness whereof we have had these our letters patent made.

Teste Humfrey, Duke of Gloucester, Guardian of England, at (*faded*) on the 10th day of February in the 7th year of our reign."

Per consilium Haseley.

February 10, 1429.

2) Indenture in French made between the King and James, Earl of Ormond, on taking office as King's Lieutenant.

The tenour is as follows :

The King by his letters patent has appointed the Earl his Lieutenant in Ireland on certain conditions agreed upon therein. The Earl shall occupy the said office for two years commencing on the day that he shall leave port to pass over into Ireland. He shall safely guard the land of Ireland according to his loyal power, taking as fee 2500 marks yearly to be paid in the following manner. In the first year 1250 marks paid on the day of the making of these indentures from the Treasurer of England or his deputy ; and 416*l.* 13*s.* 4*d.* at Easter next and 416*l.* 13*s.* 4*d.* at Michaelmas after that, from the revenues of Ireland. For the second year, 1250 marks at Easter next after that Michaelmas, 1250 marks at Michaelmas next following, and further as much as the King of his special grace wishes to grant him for the defence (*garde*) of Ireland by the hands of the King's Treasurer of Ireland for the time being from the revenues of the same as those revenues beyond the charges may provide.

And if the revenues of Ireland do not suffice, then on this being certified in the King's Chancery of England before his Chancellor there under the Great seal of Ireland, the Earl shall be paid what is wanting by the hands of the Treasurer of England or his deputy. For the payments the Earl shall have out of the Chancery of England or that of Ireland at his own choice as many and such writs (*briefe*) as shall seem good and reasonable to him for the said payments. And if the revenues of Ireland do not suffice then he shall have out of the Chancery of England as many and such writs as shall seem good and reasonable to him for the above payments. The Earl shall be at the port of Bristuit (Bristol) to pass over to Ireland on the 20th day of March next to exercise the above office, and for his passage shall have taken at that port sufficient and reasonable shipping (*eskippesoun*) for him and his soldiers at the King's costs. The Earl at the end of the said two years shall be freely discharged of that office towards the King or his heirs.

In witness whereof to the part of this indenture remaining with the Earl the King has had affixed his Privy seal.

Given at Westminster on the 15th day of February in the 7th year of our Lord the King.

February 15, 1429.

85.

Letters patent of Donatus MacMurrough, captain of his nation.

"To all to whom the present letters shall come, greeting. Know that, whereas James le Botiller, Earl of Ormond, granted to Avelina la Botiller when she was alone without a husband the manors of Nywame and Beketescros, to have and to hold as long as it please the Earl, we wish all to know that the said Donatus Mc Murrough and my ancestors and kinsmen never had any right or title in the said manors; and therefore we hold ourselves excluded from them for ever."

February 20, 1429.

86.

Eight skins sewn together dating from 1388 to 1605, touching the Palatinate of Tipperary. For the first of these see Volume II of this Calendar, Deed 285. The next is given below. The others are of date 3–4 Philip and Mary, 2 Elizabeth, etc., and will be entered in a later volume.

Letters patent (in latin) of James, Earl of Ormond, lord of the Liberty of Tipperary.

"Know that we have of our special grace towards the monastery of Holy Cross pardoned Fergal O'Hyffernane, abbot of the same, and the convent there all suit of our peace as far as belongs to us, of all seditions, felonies, homicides, murders, conspiracies, extortions, allegations, false allegiances, adherences with rebels and enemies of the King, and also escapes and receiving of felons and outlaws, etc., against the statutes and ordinances of the King, and all transgressions and injustices whatsoever committed by said abbot and convent within our Liberty, excepting arson, rape, forestalling and treasure-trove. We have also pardoned said Fergal and the convent all outlawries and lands, tenements, goods and chattels forfeited to us. Provided that they stand to right in the court of our Liberty if any wish to appear against them and act well and faithfully in future towards our lord the King and our faithful people.

Teste myself at Clonmel on the 3rd day of March in the 7th year of Henry VI."

Per billam sub privato sigillo ipsius Comitis.

March 3, 1429. Portion of seal.

87.

Letters patent of John, son of William Butler, seneschal of the Liberty of Tipperary.

" Know that James, Earl of Ormond, for our good service done and to be done granted to us the forfeitures of all lands and tenants, goods and chattels of William O'Shethe, Nicholas son of Richard Kanalyn (?) O'Shethe and Katherine wife of said Nicholas, outlawed and forfeited for felony within the said Liberty ; which William, Nicholas and Katherine were indicted before the justices of the said Liberty concerning divers transgressions and felonies, and on account of a contention and claim which said William, Nicholas and Katherine made to all the lands and tenements of Crompestoun and Elyotesheys which a certain Adam, father of John Birton, formerly let for a term of years to a certain Thomas O'Shethe, ancestor of said Katherine, which term has not yet expired, as they say. And we, by reason of said contention and claim, took those lands into the hands of the Earl and occupied them in virtue of his grant as above. And because it appears to the Earl and his council that said Adam had not in those lands and tenements anything but a fee-tail—in which case the death of the father does not prejudice the son in the fief—and similarly because the said John Birton, as son and heir male of Adam, in the assizes held at Clonmel before Theobald le Botiller, seneschal of the Liberty, on Thursday next after the Epiphany in the 8th year of Henry V by a certain writ of the form of donation (*per quodam breve forme donacionis in discendere*) recovered said lands against William, Nicholas, Katherine and a certain Anastasia, daughter of John Everard, therefore the Earl by advice of his council has ordered us by writ of Chancery of his Liberty that we immediately remove our hand from the same lands and restore them to the said John Birton. We therefore in virtue of this order, and for three marks of silver which said John Birton has paid to us to the use of our castle of Grelaghesford, have restored them to him before God and all the people. So that we the said John Butler and our heirs will never make claim in future upon the same or any parcel thereof.

Given at Clonmel on Thursday next after the feast of the close of Easter in the 7th year of Henry VI."

April 7, 1429.

88.

Parchment deed in English in 16th century hand described as "The copie of the Indenture betwix therle of Ormond and therle of Desmond for the marriage and for Youghyll."

"Yeven at Develyn the xth of Maii the yere of the reign of Kyng Henry the VIth the sevynth [May 10, 1429]."

The more important provisions are given below.

Indenture made between James, Earl of Ormond, and James fitz Gerald, Earl of Desmond, witnesses that Thomas fitz James fitzGerald, the said Earl of Desmond's son son and heir, shall take to wife Anne le Boteler, the said Earl of Ormond's daughter. The Earl of Desmond shall ordain that Thomas be sent to Johanna, Countess of Ormond, to be kept under her governance. The Earl of Ormond shall enfeoff Thomas and Anne in the Barony of Inchecoyne, etc., and town of Youghal and all their appurtenances thereof, except the advowson of the church of Youghal, to have and to hold to them and the heirs begotten between them. For defect of such issue the remainder to be to the Earl of Ormond and his heirs for ever. If Thomas die before the marriage be consummated, Anne shall marry another son and heir of the Earl of Desmond. If Anne die similarly, Thomas shall wed another daughter of the Earl of Ormond. Johanna, Countess of Ormond, shall have the keeping, nurture and governance of the next issue male of the Earl of Desmond, born in matrimony. If Thomas die as above,the Earl of Ormond shall entail the above barony etc. to whatever sons and daughters of the two Earls shall marry as aforesaid.

The Earl of Desmond shall grant a clear rent charge to Thomas and Anne of forty pounds yearly, to be taken out of all his lands in counties Waterford and Tipperary. Also if he acquire lands in Leinster, Uriel, Meath by entry or recovery, a rent-charge of ten pounds. Also the Earl of Ormond grants that the Earl of Desmond shall have and enjoy all the said barony and town during the tender age of Thomas and Anne. The two Earls shall maintain cherish, love and defend each and either of the two and their heirs and children against all men, saving their allegiance, in the parts of Leinster, Meath and Uriel and all other parts within Ireland that fall hereafter. If such inheritance fall of right to the Earl of Desmond, he shall have it to him and the heir male of his body freely begotten.

Also whereas the Earl of Desmond and David fitz Maurice are bound to the Earl of Ormond in one thousand pounds by a bond of the Staple to pay at his will, if the Earl of Desmond well and truly observe all above indentures, the debt shall stand annulled.

Given at Dublin on the 10th day of May in the 7th year of Henry VI.

"Moreover for the moste suerte that all the covenaunts rehersed above on her both parties truly to be kepte without any fraude or collusion they both bene sworn every to other thereto upon a Masse boke."

May 10, 1429.

89.

Adam Ketyng, burgess of Ross, and William son of Geoffrey Prendyrgast, witnesses that Adam has granted and to farm let to William one messuage in the said vill, which lies in 'le Market-strete,' viz. between the burgage of Nicholas Burton on the south and that formerly Clement Botyler's on the north. Also a garden lying in St. Evin's parish near Ross, viz. between the burgage of Nicholas Burton on the east and that of Michael Prendyrgast on the west. To have and to hold for the term of twenty years.

November 2, 1429.

90.

Margareta Braynok daughter of Richard Braynok, gives and grants to Nicholas son of Walter Braynok of Rathgoll, chaplain, a messuage called Condownyestoun with thirty acres of land in the lordship of Rathgoll, together with all pools (*gurgitibus*) and mills. To have and to hold to him and his heirs for ever.

December 19, 1429.

91.

John Ragit and Richard Hunt, chaplains, give and grant to Thomas Chamerleyn and John Arderne, burgesses of Kilkenny, thirty acres of meadow in the lordship of Casteldogh in county Kilkenny which they have of the gift and enfeoffment of Edmund Graas, son of Matilda Outlawe, which lie from the great meadow

formerly belonging to William Outlawe to Somertouneswell in length, and in breadth between the grantors' arable land and the mid-stream of the Nore. To have and to hold to them and their heirs for ever.

February 10, 1430. Two seals.

92.

Indenture by which James, Earl of Ormond, grants to William Broun 20*l.* sterling from issues and profits arising from the Earl's manor of Blakcastell.

February 19, 1430. Earl's seal.

93.

John Fanyn gives and grants to Thomas son of Nicholas de sancto Johanne and his heirs all messuages, lands, tenements, etc., and services of free tenants together with a third part of a water-mill which are situated in Haltonwrstoun and Balispedegh. To have and to hold to him and his heirs for ever.

August 2, 1430.

94.

Indenture made at Kylmohallok on Tuesday next before the Nativity of the B.V.M. in the 9th year of Henry VI between David fitz Morice, knight, and Edmund, Richard and Theobald, sons of Thomas le Botteler, witnesses that David has given Gelis his daughter in marriage to Edmund. David grants to Edmund as marriage portion two hundred and forty cows, a horse, a breast-plate, a 'pesayn' (*pisanum*) and helmet (*cassidem*), viz. sixty cows in hand, a breast-plate, pesayn and horse; sixty cows at Easter next, sixty cows at Michaelmas next after that and sixty cows at Easter next following. Edmund shall release to David of the said marriage portion as much as the Earl of Desmond shall wish to pledge himself for (*manucapere*) of said marriage portion, and this shall be taken from the payment to Edmund of the marriage portion because there is close kinship between Edmund and Gelis. David and Edmund have granted that Edmund shall request a dispensation at the costs of the same two, one moiety upon David and the other upon Edmund.

Said Edmund, Richard and Theobald grant the manor of Kellys with a chief rent and the profits of the Hundred of the said town to Gelys for her whole life.
September 5, 1430. Seal perfect.

95.

Rental of James, Earl of Ormond, in counties Kilkenny and Tipperary for Easter term in the 10th year of Henry VI.

Rents of the burgagery of Carrickmagriffin for the term	49*s.* 3*d.*
,, ,, ,, fines there for the term . .	6*s.* 8*d.*
,, ,, ,, oven there	3*s.* 4*d.*
The chief rent of Richardeston . . .	1*d.*
,, ,, ,, ,, Mayneston	1*d.*
,, ,, ,, ,, Monydaiff	3*s.* 4*d.*
,, ,, ,, ,, Aghdir	2*s.* 6*d.*
,, farm of Monybritayne, ditto . . .	3*s.* 4*d.*
Newton de Lynnane, ditto	16*s.* 8*d.*
Annot Lynch for the farm of the mill of Carrick, ditto	7*s.* 6*d.*
Richard Vale for the farm of the same . .	7*s.* 6*d.*

Total (*faded*).

The demesne lands of Carrick.

Shane Madoke for 2 acres there . . .	8*d.*
Peter Lawles for 7 acres there . . .	2*s.*
Nicholas White for 2 acres there . . .	8*d.*
William Botiller for 1 acre there . . .	4*d.*
Thomas Lange for 2 acres there . . .	8*d.*
Philip More McCarthy for 2½ acres there . .	10*d.*
David Whittey for 1 acre there . . .	4*d.*
Richard Vale for 15 acres there . . .	5*d.*

Total 10*s.* 6*d.*

[The name of the place faded].

Elias Vale for 1 acre for same term . . .	4*d.*
Annot Lynch for 1½ acres	6*d.*
William Coke for 5½ acres	22*d.*
Philip O'Hewelane for 1½ acres . . .	4*d.*
Thomas Cornlagh for ½ acre	2*d.*

Philip O'Hewelane for ½ acre	2*d.*
Thomas O'Hewelane for one garden	2*d.*
Thomas Madoke for 1½ acres	6*d.*
The same for the farm of his messuage	8*d.*
Patrick O'Hewelane for ½ acre	2*d.*
Simon More for 1 stang there	2*d.*
Gillebalow O'Honrachane for 1 stang	1*d.*
Philip for 3 stangs	1*d.*
Philip O'Neile for the farm of one messuage	20*d.*
Total 7*s.* 1d.	

Leaghbaly.

Thomas Madoke for 4 acres	12*d.*
Thomas Cornlagh for 10 acres	2*s.* 3*d.*
David Whittey for 1 acre	4*d.*
Thomas O'Lannegane for 4 acres	12*d.*
Annot Lynch for 7 acres	21*d.*
William Coke for 3 acres	12*d.*
Thomas O'Hewelane for 6 acres	18*d.*
Total 8*s.* 9*d.*	

Grennagh.

William Graunt for the farm of the moiety of Flemyngeston	6*s.* 8*d.*
Makine 'medico' for the farm of Polrothan, Ardclone and Dunfenane	40*s.*
The farm of Croynasse (?)	6*s.* 8*d.*
William Philpotesson Walsch for the farm of Cloyagh	10*s.*
Thomas Wyse for farm of the mill	10*s.*
The same for the farm of Balisalagh	?
,, cultivated (*cultura*) lands of Newton	3*s.*
,, tenure of William Flemyng	3*s.* 4*d.*
,, ,, ,, David Walsch	—
,, ,, ,, William Taillure	4*s.*
,, ,, ,, Schane Bretenagh	—
,, ,, ,, Thomas Boy	2*s.*
,, ,, ,, Geoffrey More	2*s.*
,, ,, ,, Thomas Taillour	20*d.*
,, ,, ,, Philip Fors	5*s.*

The tenure of Janyng McIrraghti	5s.
,, ,, ,, Janyng Camford	5s.
,, ,, ,, Edmund Graunt	10s.
,, ,, ,, William More Walsch	10s.
,, ,, ,, David Prendirgast and Philip Dakesson	6s.
Thomas Carragh for 7 acres at Illyd	21d.
The tenure of Donald Dir	4s. 4d.
,, ,, ,, Richard O'Kynnay	2s.
,, ,, ,, Andrew O'Laure	3s. 4d.
,, ,, ,, Nicholas O'Hee	5s.
,, ,, ,, Schane O'Brodyr	6s. 8d.
,, ,, ,, Gillereagh of Illid	6s. 8d.
,, ,, ,, Walter Walsch	5s.
,, ,, ,, Thomas O'Coign	3s.
,, ,, ,, Odo O'Morgho	4s.
,, ,, ,, Henry Sueteman	4s.
,, ,, ,, Gillekyn	6s. 8d.
,, ,, ,, Newton	4s.
,, chief rent of Kilgragane for the term	6d.
,, ,, ,, ,, Kilcrone ,, ,, ,,	6d.
,, ,, ,, ,, Balcaastyn ,, ,, ,,	6d.
,, ,, ,, ,, Offad ,, ,, ,,	18d.
,, ,, ,, ,, one toft ,, ,, ,,	12d.
,, ,, ,, ,, William Walsch of Polrothane, ditto	8d.
,, ,, ,, ,, Fidowyn, ditto	2s. 8d.
,, ,, ,, ,, Portynhirr, ditto	4s. 9d.
,, ,, ,, ,, Baliheyne, ditto	1½d.
,, ,, ,, ,, Portynscoill, ditto	½d.
,, ,, ,, ,, Ardbarry (?), ditto	1½d.
,, ,, ,, ,, Clontury	3s. 4d.
,, ,, ,, ,, Rathgorby	3d.
,, ,, ,, ,, Flemyngeston	6s. 8d.
Total	11l. 4s. ½d.

[The next entry begins 'Cragge' but this section is crossed out].

Odaa.

Chief rent of Rathpatrik for the term	6s. 8d.
,, ,, ,, Cowillfeagh	8s.
,, ,, ,, lez Gurtines at Easter for a year	14d.

Chief rent of Henreston for the term . . .	5*s.*
,, ,, ,, Girganes ,, ,, ,, . .	12*d.*
Nicholas fitz John for the farm of Drumdowny .	—
The ferry and demesnes in Odaa . . .	10*s.*
Total	31*s.* 10*d.*

Obargoyne.

Rent of the burgagery of the town of Rosbergon for the term	24*s.* 4*d.*
John Harbrigge for farm of the ferry there for same term	5*s.*
Farm of Whiteston in hands of same John and David Chepman	3*s.* 4*d.*
Chief rent of Balicoigne for term . . .	20*d.*
Schane Teisler for farm of Killegrallane . .	12*s.*
The issues of the hundred of Rosbergon for same term	12*d.*
William Broun for the estray of a sheep and a swarm of bees	20*d.*
Griffin Bolgir for the estray of a swarm of bees .	16*d.*
Total	50*s.* 4*d.*

Lesterlyng.

Jenkyne Gillegallesson for his tenure there for the same term	3*s.* 4*d.*
Philip Hopere, ditto	2*s.* 6*d.*
John Jakesson, ditto	14*d.*
Schane Callach, ditto	12*d.*
Schane Meiller, ditto.	9*d.*
Janyng Schengill, ditto	6*d.*
John Clerk for farm of a mill there . . .	5*s.*
John Patrik for his tenure there . . .	20*d.*
Total	15*s.* 11*d.*

William fitzOliver for farm of Meidlagh and Leynachiston for same term	53*s.* 4*d.*
Laynach Laweles for farm of Moclewyr . .	13*s.* 4*d.*
The farm of Creg and Leghballe . . .	53*s.* 4*d.*
Total	6*l.*

The rent of the burgagery of Ballygaveran for term 13*l.* 6*s.* 8*d.*
Nicholas Purcell for the farm of the lord's mill for same term . . . . . 20*s.*
Schane More McElliote for his cultivated land in the demesne . . . . . 22*s.*
Nicholas Somerton for 3 acres of demesne . . 12*d.*
Ganagh for his cottage there . . . 8*d.*
Gilleboy Rocheford . . . . . 8*d.*
Philip Flemyng . . . . . 8*d.*
Isabella Garvey . . . . . 6*d.*
John Rouse for the issues of the hundred there for the term 6*s.* 4*d.*
The chief rent of Rathcowle for the term . . . 10*s.*
,, ,, ,, ,, Brikimesclaragh, ditto . . 2*s.* 5½.
,, ,, ,, ,, Cowillsobyll . . . 3*s.* 4*d.*
,, ,, ,, ,, Fynell, ditto . . . 6*d.*
,, ,, ,, ,, Symoneston, ditto . . . 6*d.*
,, ,, ,, ,, Kilrame, ditto . . . 6*s.* 8*d.*
,, Abbot of Jerpoint for Denysland in Tredineston, ditto . . . . . 13*s.* 4*d.*
,, tenants of Bennetesbrigge for their cultivated lands in Tredineston, ditto . . . 4*s.* 4*d.*

Total 18*l.* 7½*d.*

Knocktopher.

Rent of the burgagery of the town of Knocktopher . 43*s.* 9*d.*
The forinsec rent for the same for the term . 7*s.* 7¼*d.*
David Chepman for farm of a mill ,, ,, ,, . 10*s.*
Same for 32 acres of demesne there ,, ,, ,, . 10*s.* 8*d.*
James Whitewell for 15 acres of demesne cultivated, ditto . . . . . 5*s.*
Same for Cascroft, ditto . . . . 3*s.*
The cultivation of other divers tenants of lands and demesnes there ditto . . . . 12*s.* 2*d.*
Theobald Coke for his cultivated lands of demesne . 8*s.* 2*d.*
Blakhall for the same term . . . . 18*d.*
Helen Proute for a messuage, ditto . . . 5*d.*
Richard Don ,, ,, ,, ditto . . . 4½*d.*
Thomas Barret Taylor for a messuage for the term . 4*d.*
Hugoneston for term . . . . 6*s.* 8*d.*

Carmerthyneston for term	5*s.*
Balligerdir for term	26*s.* 8*d.*
Philip Cardy for farm of Britonesrath (?) ditto	20*s.*
Hodesland, ditto	2*s.* 9*d.*
Ethukesland, ditto	18*d.*
Chief rent of Kilgherill, ditto	24*s.*
,, ,, ,, Dernhinch, ditto	22*d.*
,, ,, ,, Howeleston at Easter for the year	19*d.*
,, ,, ,, Cronbally for term	6*d.*
,, ,, ,, Lesmetaig ,, ,,	12*d.*
,, ,, ,, Castelganan ,, ,,	3*s.* 4*d.*
,, ,, ,, Balligeragh ,, ,,	4*d.*
,, ,, ,, Ballidowan	2*s.* 10*d.*
,, ,, ,, Balligall	20*d.*
,, ,, ,, Lestenthy ,, ,,	2*s.* 6*d.*
,, ,, ,, Athbillir at Easter for term	1*d.*
,, ,, ,, Dennysrath	13*s.* 4*d.*
Total	11*l.* 3*s.* 6¾*d.*

Irraght and Hill of Callan.

Chief rent there for the term	5*s.* 4½*d.*
,, ,, of cottage of "del Hill," ditto	15*s.* 2*d.*
,, ,, ,, the acres there, ditto	13*s.* 6*d.*
,, ,, ,, farm of Kepaghedon, ditto	26*s.* 8*d.*
,, ,, ,, ,, ,, Killaloe, ditto	13*s.* 4*d.*
,, ,, ,, ,, ,, Moregrage, ditto	6*s.* 8*d.*
,, ,, ,, ,, ,, Wyllsgrage, ditto	6*s.* 8*d.*
,, ,, ,, ,, ,, Monycloyn and Loghlynesgrage, ditto	26*s.* 8*d.*
The prise of ale of le Hill for the term	3*s.* 4*d.*
Total	5*l.* 17*s.* 6*d.*

Castle of Kilkenny.

Chief rent of Kilcryn for the term	11*s.*
,, ,, ,, Newhous ,, ,, ,,	(*faded*)
,, ,, ,, Staynesland ,, ,,	5*s.*
,, ,, ,, Roweston	3*d.*
,, ,, ,, Brakland for term	12*d.*

Farm of stone mill there, ditto . .	3*l.* 13*s.* 4*d.*
,, ,, Mauydleynmyll and Towermyll, ditto .	40*s.*
Water and river and fishery there for term . .	6*s.* 4*d.*
Wife of McRekir (?) for cottage ,, ,, ,, . .	12*d.*
,, ,, John Meisoun from her messuage, ditto .	18*d.*
Master John Coke for " les Inchis," ditto . .	20*d.*
Robert Chamberleyn for—	8*d.*

[The rest is illegible].

April, 1432.

96.

John son of Nicholas Houlyn gives and grants to Nicholas fitz Pers (i.e. son of Peter) Houlyn his brother, two messuages and a half carucate of land lying within the town and in the lordship of Kells in Ossory, which formerly belonged to Peter, grantor's brother. To have and to hold to him and the heirs male of his body begotten. Remainder to grantor and his right heirs.

May 8, 1432. Seal perfect.

97.

Henry, son of the Abbot (*Hanricus filius Abbatis*), one of the Geraldines, gives and grants to John son of William Marchall all messuages, lands, tenements, meadows, rents, lordships, fisheries, etc., with the services of all free tenants which he had in Rathiordayn, and 100*s.* of annual rent in Obyneston in the tenement of Cathyrkynlys (Caherconlish, county Limerick), and in Wyldeston, Molyngreaggan in the tenement of Cathyrkynlys, and sixty acres of land, meadow, etc., in ' le Balboly ' in the tenement of Cathyrkynlys and in Ermoyn (Ormond), viz. Baliloghloske, Balymyloyt, Donlaythbeg, Donlaythmor ; together with all other lands which he has of the gift and enfeoffment of said John in Ermonia (Ormond) in the tenement of Nenagh y bryen in the county of Cashel (*in comit. Cassellen'*) ; also all grantor's messuages, lands, etc., in Gyllybertstonyston (*sic*), Dromyn y klery, Gesseronyston drumyn near Balynant, Rychynyscroft, Balymoghlan in the tenement of Athlacagh and in ' le Gearbaly ' in said tenement of Athleacath. To have and to hold during his life, doing the accustomed services to the lord of those fees. Remainder successively to Redmond son of the abovesaid John Marchall and

the heirs male of his body ; then to Jordan brother of Redmund ; Thomas brother of Jordan ; Edmund brother of Jordan ; Richard brother of Edmund, Peter Marchall, brother of abovesaid John ; Nicholas Marchall son of Richard ; Jonyn Marchall of Kyllmanathayn ; Gerald son of William fyn Marchall ; Nicholas Coke Marchall, and the heirs male of their bodies. If these all die without heir male, then remainder to the right heirs of said John son of William Marchall for ever.

Given at 'Canunys' on Tuesday next after the feast of St. Bernard, apostle, in the 10th year of Henry VI.

[St. Bernard, apostle, in the dating would seem to be intended for St. Barnabas, apostle. If so the date should be June 17 ; and if St. Bernard, then August 26, 1432].

98.

Letters patent by James, Earl of Ormond, Lord of the Liberty of Tipperary, granting safe conduct to all pilgrims who wish to visit Thurles at the feast of the Assumption of the B.V.M. next following for three days before and after the feast. This is given at the request of Richard, Archbishop of Cashel.

Given at Fethard on the 8th day of July, A.D. in the 10th year of Henry VI.

July 8, 1432.

99.

Letters patent of Henry VI.

"Know that for a fine which Elizabeth, widow of John, Lord de Grey, knight, defunct, who held of us in chief has made to us, we have given her leave to marry our dear cousin James le Botiller, Earl of Ormond.

Teste Thomas Stanleye, knight, our Lieutenant in Ireland at Dublin on the 18th day of July in the 10th year of our reign."

Suttoun.

Pro quadraginta solidis solutis in hanaperio.

July 18, 1432.

100.

Deed in French by James, Earl of Ormond, by which he grants to his mother Joan de Beauchamp, Lady of Bergevenny, the governance of his lordship of Kilpeke with all its appurtenances,

to the use and profit of her daughter Joan, to whom the Earl has granted the said lordship for her maintenance (*pour sa chambre*) for the term of her life. Lady Joan the mother to have power to have forest of ' hay wode ' in the Earl's forest and to appoint a seneschal for the said lordship and all other offices, saving those who hold their offices under grant by seal of the Earl, and to have correction of all said offices and tenants of said lordship for all trespasses and misprisions.

In witness whereof to this indenture the parties have interchangeably set their seals.

[*Circa* 1432]. Seal apparently of the Lady of Abergavenny.

[The marriage of James, 4th Earl of Ormond, to Elizabeth de Beauchamp was in 1432. Joan, Lady of Abergavenny, the mother-in-law, died in 1434.]

101.

Royal writ to the Escheator of Ireland touching an inquisition into the lands of Gerald, Earl of Kildare.

Henry Stanyhurst, deputy of Robert More the King's Escheator, recites the King's writ in these words :

" Henry, King of England, to Robert More, his Escheator in Ireland, or his deputy. We have learned by various inquisitions taken before Henry Stanyhurst and Walter Glerne your deputies and returned in the Chancery of Ireland that Gerald, late Earl of Kildare, was seised in his demesne in fee tail to himself and the heirs of his body on the day of his death of the manor of Maynooth with its appurtenances, excepting the water mill there and fifty acres of land in ' le Waterton,' a parcel of the said manor ; also the manors of Rathmore, Rathymgan, Lea and Geashill, with their appurtenances, by the gift of a certain Richard Barby ; and that he held the same in chief of us by military service. Also that he was seised in his demesne, etc., (as above) of the manor of Taghmohok by the gift of said Richard Barby, and held the same of Richard, Duke of York, as of his manor of Dunamase by fealty and service of one rose yearly for all service. Also that James Flattesby held a third part of the manor of Naas of the said Gerald on the day of his death by homage, fealty and knight service ; and that William Byrt held another third part of the

same by homage, fealty and knight service; and that Christopher Preston held a moiety of the other third part of the same of the said Gerald by homage, fealty and knight service; and that Elizabeth Brun held the other moiety of the third part of the same manor of Naas of the same Gerald. And that the Earl held the said manor of Naas of us in chief by fealty and service of one rose yearly for all service. Also that he was seised in his demesne as of fee in the manors of Rathbryde and Kilcork and held the same on the day he died of the Prior of the Hospital of St. John in Ireland as of the right of the Hospital by fealty and service of one rose yearly for all service. And that he was seised in his demesnes of fee of the manor of Taghmoho, and held it on the day he died of John Bellew and Anastasia his wife and of Thomas Harbryk and Margaret his wife as of the right of the same Anastasia and Margaret by fealty and service of one rose yearly. Also that he was seised in his demesne, etc., of one messuage and eighty acres of land in Cradokeston, and held them of us in chief by fealty and service of one rose. Also that he was seised, etc., of the manor of Balysochan, and held it of us in chief by knight service. Also that he was seised in his demesne in fee tail to him and his heirs on the day he died of the manors of Croom, Adare, and Esgrene by the gift of the said Richard Barby, and held them of us by knight service. Also that he was seised of the manors of Aclakath, Grene, Carrykytyll and Typernevyn and held them on the day he died of us in chief by knight service. Also that he was seised, etc., of a moiety of the manor of Corcomoyd and held it on the day he died of James, Earl of Desmond, as of his manor of Inskyfty (Askeaton) by fealty and service of a rose yearly. Also that he was seised on the day of his death of the manor of Glassare and held it on the day he died of James le Botiller, Earl of Ormond, as of his castle of Kilkenny by fealty and service of one otter skin. Also of the manors of . . . coyn, Oglassyne, Kilblan, Bewer, Corbyn and Greyeweyn and held them on the day he died of us in chief by fealty and the service of a rose yearly. Also of the manors of Sanraynach, Portolehan and 'le Boyle,' and held them on the day he died of James, Earl of Ormond, as of his manor of Nenagh by fealty and sevice of a rose yearly. And that Elizabeth his daughter, lawfully begotten between the said Earl and his wife Agnes, is the nearest heir and is of age thirty-four years and more, and was

married to the said James le Botiller, Earl of Ormond, long before the death of Gerald, and that the said Gerald died on Thursday next before the feast of St. Luke the Evangelist last past (October 13, 1432).

We have taken the fealty of the said Earl of Ormond and Elizabeth his wife due to us for two parts of the said manors, messuages, lands, etc., and have of our special grace respited until the feast of Michaelmas next the homage of the Earl of Ormond similarly due to us, for 100*s.* paid to us in the Hanaper of our Chancery of Ireland, and have restored to them the two parts of the said manors, etc.

Therefore we command you that, having taken security from the said Earl of Ormond and Elizabeth his wife for their reasonable relief for the two parts aforesaid which are held of us and which have come into our hands by the death of the said Earl; you make them to have full seisin thereof, saving the rights of others, not entering upon the other two parts, etc., which are held of the Duke, Prior, Anastasia, Thomas, Margaret, the Earl of Desmond and the Earl of Ormond, etc.

Teste Christopher Plunket, knight, deputy of Thomas Stanley, knight, Lieutenant of Ireland, at Dublin on the 10th day of December in the 11th year of the reign (1432)."

The said Deputy, Henry Stanyhurst, therefore, in virtue of the above writ has made seisin to the Earl of Ormond and Elizabeth his wife of two thirds of the said manors, etc., which are held of the King and which by the death of the said Earl were taken into the King's hand.

In witness whereof he has had the King's seal of the office of Escheator of Ireland affixed.

Given on the 14th day of December in the 11th year of Henry VI.

December 14, 1432.

[This Deed is important both as giving the manors of the Earl of Kildare at this time (1432) and as fixing the date of the death of this Earl Gerald. Cokayne's *Complete Peerage* (1929) states that there is no evidence for the precise date of his death except that it was in the year 1432. According to Cokayne, this Gerald, son of Maurice, was 5th Earl, from 1390 to 1432. His wife in

second marriage was Agnes Darcy who survived till 1439. Our Deed above gives the precise date of his death as October 13, 1432.

As Earl Gerald died without legitimate male heir the castle and town of Kildare reverted to the King. The disposal of his other manors is recorded above. After him there is a gap in the history of the Earldom until the succession of Thomas, 7th Earl, in 1456. The succession in that period is dubious, but John, his brother, is reckoned as 6th Earl].

The latin text is as follows.

" Ego Henricus Stanyhurst deputatus Roberti More Escaetoris domini Regis in Hibernia breve Domini Regis recepi in hec verba ' Henricus dei gracia Rex Anglie etc. dilecto sibi Roberto More Escaetori sui Hibernie vel eius deputato ibidem salutem. Quia accepimus per diversas inquisiciones coram Henrico Stanyhurst et Waltero Glerne deputatis vestris ex officio captas et in Cancellaria nostra Hibernie retornatas quod Geraldus nuper Comes Kildar' fuit seisitus in dominico suo ut de feodo talliato sibi et heredibus suis de corpore suo exeuntibus die obitus sui de manerio de Maynoth cum pertinenciis—exceptis uno molendino aquatico in Maynoth et quinquaginta acris terre in le Waterton parcella dicti Manerii de Maynoth—et de maneriis de Rathmore Rathymngan Ley et Geshell cum pertinenciis ex dono cuiusdam Ricardi Barby et eadem maneria cum pertinenciis exceptis pre exceptis tenuit de nobis in capite per servicium militare, et quod idem Geraldus nuper Comes fuit seisitus in dominico suo ut de feodo talliato etc. (*ut supra*) dicto die obitus sui de manerio de Taghmohok cum pertinenciis ex dono dicti Ricardi Barby, et dictum manerium cum pertinenciis tenuit de Ricardo Duce Ebor', ut de manerio suo de Dunmask per fidelitatem et servicium unius rose per annum pro omni servicio, et quod Jacobus Flattesby tenuit terciam partem manerii de Naas de dicto Geraldo nuper Comite dicto die obitus sui per homagium fidelitatem et servicium militare. Et quod Willelmus Byrt tenuit aliam terciam partem dicti manerii de Naas de dicto Geraldo etc. (*ut supra*) per homagium fidelitatem et servicium militare, et quod Cristoforus Preston tenuit medietatem alterius tercie partis dicti manerii de Naas de dicto Geraldo etc. per homagium fidelitatem et servicium militare, et quod Elizabeth Brun tenuit alteram medietatem dicte alterius tercie partis dicti manerii de Naas de dicto Geraldo etc.

(*ut supra*). Et quod idem nuper Comes tenuit dictum manerium de Naas cum pertinenciis die obitus sui de nobis in capite per fidelitatem et servicium unius rose per annum pro omni servicio. Et quod dictus nuper Comes fuit seisitus in dominico suo ut de feodo de maneriis de Rathbryde et Kylcork et eadem maneria de Rathbryde et Kylcork tenuit die obitus sui de Priore Hospitalis sancti Johannis in Hibernia ut de iure Hospitalis sui per fidelitatem et servicium unius rose per annum pro omni servicio, et quod dictus nuper Comes fuit seisitus in dominico suo ut de feodo de manerio de Taghmoho cum pertinenciis et dictum manerium de Taghmoho tenuit dicto die obitus sui de Johanni Bellew et Anastacia uxore eius Thoma Harbryk et Margareta uxore eius ut de iure ipsarum Anastacie et Margarete per fidelitatem et servicium unius rose per annum et quod predictus nuper Comes fuit seisitus in dominico suo ut de feodo dicto die qui obiit de uno mesuagio et quatuor viginti acris terre cum pertinenciis in Cradokeston et illa tenuit de nobis in capite per fidelitatem et servicium unius rose per annum et quod dictus nuper Comes seisitus fuit in dominico sui ut de feodo talliato etc. (*ut supra*) etc., de manerio de Balysochan cum pertinenciis et illud manerium tenuit dicto die obitus sui de nobis in capite per servicium militare, et quod idem nuper Comes fuit seisitus in dominico suo ut de feodo talliato sibi et heredibus suis etc. dicto die obitus sui de maneriis de Cromoth Adare et Esgrene cum pertinenciis ex dono dicti Ricardi Barby et eadem maneria de Cromoth Adare et Esgrene tenuit de nobis in capite per servicium militare, et quod idem predictus nuper Comes fuit seisitus in dominico suo ut de feodo de maneriis de Aclakath Grene Carrykyttyll et Typerevyn cum pertinenciis, et eadem maneria cum pertinenciis tenuit die quo obiit de nobis in capite per servicium militare. Et quod dictus nuper Comes seisitus fuit in dominico suo etc., ut de feodo die quo obiit de medietate manerii de Corkmoyde cum pertinenciis et illam tenuit dicto die obitus sui de Jacobo Comite Desmonie ut de manerio suo de Inkysty (*sic*) per fidelitatem et servicium unius rose per annum et quod dictus nuper Comes seisitus fuit in dominico suo dicto die quo obiit de manerio de Glassare cum pertinenciis et illud manerium tenuit dicto die quo obiit de Jacobo le Botiller Comite Ermonie ut de castro suo de Kilkenny per fidelitatem et servicium unius pellis lotrini per annum. Et quod predictus nuper Comes seisitus fuit in dominico

suo die quo obiit de manerio de . . . coyn Oglassyne Kilblan Bewer Corbyn et Greyeweyr cum pertinenciis et eadem maneria tenuit die quo obiit de nobis in capite per fidelitatem et servicium unius rose pro omni servicio. Et quod prefatus nuper Comes fuit seisitus in dominico suo ut de feodo dicto die quo obiit de maneriis de Sanraynach Portolehan et le Boyle cum pertinenciis et eadem maneria tenuit de predicto Jacobo Comite Ermonie ut de manerio suo de Nenagh per fidelitatem et servicium unius rose per annum pro omni servicio. Et quod Elizabetha filia dicti Geraldi nuper Comitis inter ipsum Geraldum et Agnetem nuper uxorem eius iam superstitem legitime procreata est heres propinquior et de etate triginta et quatuor annorum et amplius et maritata predicto Jacobo le Botiller Comiti Ermonie die ante obitum dicti Geraldi quodque predictus Geraldus obiit die Jovis proximo ante festum Sancti Luce Evangeliste ultimo preterito.

Cepimus fidelitatem predictorum Comitis Ormonie et Elizabethe uxoris eius nobis pro duabus partibus maneriorum messuagiorum terrarum et tenementorum predictorum cum pertinenciis exceptis preexceptis debitam, ac homagium ipsius Comitis Ormonie nobis in hac parte similiter debitum de gracia nostra speciali, et pro centum solidis nobis in hanaperio Cancellarie nostre Hibernie solutis hinc usque ad festum Sancti Michaelis Archangeli proximum futurum duximus respectuandum et eis duas partes maneriorum messuagiorum terrarum et tenementorum predictorum cum pertinenciis exceptis preexceptis reddidimus.

Et ideo vobis mandamus quod accepta securitate a prefatis Comite Ormonie et Elizabetha uxore eius de rationabili relevio suo ad scaccariam nostram Hibernie solvendo eisdem Comiti et Elizabethe uxori eius de duabus partibus maneriorum etc., que de nobis sic tenentur et que per mortem predicti nuper Comitis capita sunt in manum nostram plenam seisinam habere facies salvo jure cuiuslibet ; de aliis vero duabus partibus maneriorum etc. que de prefatis Duce, Priore, Anastasia, Thoma, Margareta, Comite Desmonie et Comite Ermonie sic tenentur et que per mortem predicti nuper Comitis similiter capta sunt in manum nostram vos ulterius in aliquo non intromittatis exitus si quos de dictis duabus partibus maneriorum etc. que de predictis Duce Priore Johanne Anastasia Thoma Margareta Comite Desmonie Comite Ermonie sic tenentur a tempore mortis predicti nuper

Comitis preceperitis eisdem Comiti Ermonie et Elizabethe uxori eius liberantes ut est iustum.

Teste dilecto et fideli nostro Cristoforo Plunket milite deputato dilecti et fidelis nostri Thome Stanley militis locum nostrum tenentis in terra nostra Hibernie apud Dublin x die Decembris anno regni nostri undecimo.'

Et ego supradictus deputatus eisdem Comiti Ermonie et Elizabethe uxori eius de duabus partibus maneriorum etc. predictorum exceptis preexceptis que de domino Rege sic tenentur et que per mortem predicti Comitis capta fuerunt in manum domini Regis plenam seisinam virtute brevis Domini Regis supradicti habere feci.

In cuius rei testimonium sigillum domini Regis officii Escaetrie Hibernie presentibus apposui. Datum xiiii die Decembris anno regni Regis Henrici sexti undecimo."

102.

Court of the Liberty of Tipperary.

[A skin four feet long and nine inches wide written on both sides with a writ attached of James, Earl of Ormond, given at Clonmel on the 4th day of September in the 11th year of Henry VI].

The writ in latin is from the Earl as Lord of the Liberty of Tipperary to the sheriff of the same, as follows :

" You shall summon by good summoners archbishops, bishops, abbots, priors, counts, barons, knights, and all freeholders of the said Liberty from each town (*villa*) four lawful men and the reeve, and from each borough (*burgo*) twelve burgesses throughout all your bailiwick, and all those who ought and are accustomed to come before the Seneschal of our Liberty to be before our seneschal at Clonmel on Monday after All Saints next to hear and to do our command. You shall also make to come before the seneschal all pleas of the crown of our said Liberty which have not been held (*placitata*) or which have arisen after our seneschal made his eyre (*itineravit*) last in those parts, and all attachments belonging to those pleas, and all assizes and all pleas which have been put to the petty assize before our seneschal, with writs of assizes and pleas so that those assizes and pleas by your default or by default

of summons shall not remain to be taken. You shall also have proclaimed and made known throughout your whole bailiwick that all assizes and pleas which were taken and not finished before the seneschal of our Liberty after he made his eyre in those parts shall be before him in the same state in which they remained by our command or that of our seneschal. You shall also summon all those who were our sheriffs or coroners, up to the last eyre (*itineracionem*) of our seneschal in those parts, to be before him with writs of assizes and pleas for their whole time (of office). Also we order you throughout your bailiwick, both in cities, boroughs and market towns as elsewhere within the said Liberty, to have published and proclaimed that all those who by charter of the Kings of England or in any other way claim any liberties within our Liberty shall be there before the said our seneschal to show what kinds of liberties they claim to have and by what warrant, and that those who wish to complain of our bailiffs or ministers or any others, because of oppressions, extortions, wrongs, debts, accounts, contracts, or any transgressions whatsoever—saving the pleas of arson, rape, forstall and treasure-trove—shall be there to present their complaints if they wish. And you shall have all prisons, serjeants, and sub-serjeants of our Liberty to do what shall be enjoined upon them from us and you yourself shall be there to testify how all the above matters (*premissa*) have been performed. And you shall have there the names of archbishops, bishops, abbots, priors, earls, barons, knights, coroners, free tenants, reeves, serjeants and sub-serjeants along with this writ."

Teste John son of William le Botiller, Seneschal of our Liberty, at Clonmel on the 4th day of September in the 11th year of Henry VI.

September 4, 1432.

On the back of the writ is the sheriff's response (in latin) as follows :

"As regards archbishops, bishops, etc., (down to 'sub-serjeants') the execution of this writ has been made as appears in the return (*cedula*) sewn to this writ."

" There are no pleas of the Crown begun or finished or attachments pertaining to them."

" The assizes and pleas to be taken appear in the writs of the same."

" There are no coroners."

" Proclamation of this writ was made as this writ requires."

" There are no prisons before the sheriff."

" The sheriff is present in person before the seneschal on the day and place contained in this writ to do what this writ requires."

" And so I, Peter Comyn, Sheriff of the Liberty of Tipperary, reply."

The return then gives the names of the suitors, as follow :
Richard [O'Hedian], archbishop of Cashel.
Richard, bishop of Lismore.
Thomas, bishop of Emly.
James, bishop of Killaloe.

(In the margin the christian names John, Robert, Cornelius and Tatheus are written respectively opposite these names in another hand and in faded ink. They are the later occupants of these sees. From one of them, Cornelius, bishop of Killaloe from 1444–1448, we can infer the date.)

The Abbots of Oseney, St. Thomas' of Dublin, Wotheney, Inchelauenaght, Holy Cross, Kylcoull and Mothyll.

The Priors of Kilmainham, Holy Trinity, Dublin, Athassel, Kells, St. John's outside the Newgate, Dublin, St. Katherine's near Waterford, St. John's of Nenagh, Cahir (*Cathir*), " Insula Viventium " (Monahincha or ' Inis-na-mBeo ' near Roscrea) and the Prioress of Molagh (by attorney).

The Earl of March (" Comes Marchie " is erased and opposite in another hand is written " Johannes comes de Hontyngton Ricardus ") ; James son of Gerald, Earl of Desmond ; the Earl of Kildare.

The Barons are : Edmund son of Thomas Botiller, baron of Kiltevenane, and the same Edmund, baron of Knockgraffon.

Under knights the only name is David ' filius Mauricii.'

Free tenants of Iffa.

Edmund son of Richard Oge Vale
Walter Tobyn
Robert Porter
Janyn Poer
Anastasia de Vale
Walter son of Richard fitz Tancard Walsh
Richard son of Redmund Vale
Maurice Maydewell
Richard son of Henry Vale
Margaret Barron
Katherine Milod
Gyttagh Lonfey
James Rokell
Milo Walsch
William Corre
Katherine Laffane
Eustace Bastard.

(Opposite the last eleven names are written in a later faded hand respectively : William son of John Vale, Milo, William McElayny Botiller, Richard fitz Adam Lanfey, William Roth Norrys, John Lonfey, Milo Poer, James, John, Walter son of John Walsch; while Eustace Bastard is erased and the names of John fitz Mylys Don, Redmund fitz Remund and William ' filius Remundi ' are written opposite).

Offathe.

John son of Robert fitz Mayo
Walter son of Gilbert de Burgo
Robert fitz John Prendirgast
James son of Edmund Ketyng
Edmund Trawers.

(Opposite the third and fourth names respectively are written : Thomas and Patrick Engleys, and opposite Edmund Trawers are

written: Patrick, Walter son of Theobald de Burgo, and Redmund son of Robert Oge fitz Mayo).

Moct̄. (Would seem to be the old cantred or barony of Moytalyn in county Tipperary. See index to *Cal. Just. Rolls*, 1295–1303).

Milo Poer
Thomas Bremygham
Edmund Bremygham
Raymond Sawce
Nicholas Sawce
Nicholas Braynoke, chaplain.
Adam Braske
John Braske, chaplain.
John Walsh of Crohard
James son of William Botiller
Thomas de Sancto Johanne
Nicholas Loundres
Peter Everard
John de Sancto Johanne
Raymond Maweclerke
Henry Maweclerke
Raymond Ven
James Burdoun
Edmund Bryte
David Mauncell
John Boy Dowy
John Gyttagh Braynoke.

(Opposite the last thirteen names are written in a latter hand respectively: Edmund son of James le Botiller, John son of Thomas de Sancto Johanne, Peter Loundres, Richard Botiller, Shane Harrolde, Edmund, Peter Boy fitzRedmund, Edmund Power, David Burdoun, John Cam Braynok, John son of David Mauncell, Richard Tobyn, William Duff Marreys).

Moieñ. (As Knockgraffon and Mogorban are mentioned, this would appear to be part of the present barony of Middlethird, county Tipperary).

Richard Hedyane, archdeacon, for Mogorban
Thomas Auer Comyn

Nicholas son of Andrew Haket
Thomas Loundres
Robert son of Robert Wodlok
Robert David Wodlok
William Haket of Rathsallagh
John Flemyng, rector of Knockgraffon
William Ewyas
Walter Stokedon
John son of Nicholas Wodlok
Thomas Flemyng
William Ocley
Peter Comyn.

(Opposite the last seven names are written respectively : Edmund Flemyng, chaplain, James Bryton, John, William, Thomas Vale, Philip son of John Vale, and opposite Peter Comyn, several names faint, Fleming, Graunt, William O'Creghane, etc.).

Oueñ. (Would seem to be the barony of Arra and Owney).

Walter Haket
John Sall
Walter fitz Henry de Burgo
John Stafford.

(In margin : Thomas son of James Botiller, and William son of Geoffrey de Burgo).

Sleff (ardagh).

James son of James Botiller
Walter Cam Cantewell
Thomas Cantewell
John son of Nicholas Cantewell
Thomas Fanyn
John son of Fulc Mauncell
Thomas Laffan
John More Tobyn
Walter Deysetir
James Warnell
John McEyllerey Cantewell.

Ely. (The cantred or barony of Ely O'Carroll).

James Purcell
John Reuath Stapyldon
David Archer
Dermot Reuath O'Hedyane
Stephen Byrte.

The reeve and community of Tiperagh', Lynnan, Carryk, Kylsyllan, Clonmel, Lysroragh, Newcastle, Cath' (Cahir), Moydeshill, Kyltevenan, Knockgraffon, Athassel, Kyllekyll, Tipperary, Ardemayll, Boleke, Thurles, Lothemy, Roscrea, Nenagh, Kyllenayl.

Serjeants.

John son of David Mauncell, chief serjeant of county Tipperary. Nicholas Leghane, sub-serjeant of the east part of Iffa. Richard McWalter, sub-serjeant of the same. Thomas Don, sub-serjeant of the west part of Iffa and Offa. John Galde Mauncell, sub-serjeant of Moct'. Walter Gateghan, sub-serjeant of Moieñ. John Gyttagh Mauncell, sub-serjeant of Sleff(ardagh), the sub-serjeants of Ely, Moieñ and Oueñ.

[Dorso of the return].

County court of the Liberty of Tipperary held at Lysroragh before Peter Comyn, sheriff of the said Liberty, and John Broun and Thomas Howet, keepers of the pleas of the Crown in the same Liberty, on Wednesday next before the feast of St. Nicholas, Bishop, in the 13th year of Henry VI (December 1, 1434) ; on which day of the county court Donatus More O'Kyally and others contained in the return, solemnly and for the first time summoned in the presence of the above-said coroners to stand to right in the court of the Liberty to reply to James, Earl of Ormond, Lord of the Liberty, for divers felonies whereof they are indicted, did not come.

County court of the Liberty of Tipperary held at Clonmel before the same on Wednesday in the feast of the Purification of the B.V.M. in the 13th year of the reign (February 2, 1435), on

which day Donatus O'Kyally, a servant of the archbishop, and others, etc., (as above), being solemnly summoned for the third time did not come.

County court of the Liberty held at Clonmel before the same on Ash Wednesday in the same year (March 2, 1435), on which day Donatus More O'Kyally etc., summoned for the fourth time, did not come.

County court of the Liberty of Tipperary held at Lysroragh before the same on Wednesday after the feast of the Annunciation in the same year (March 30, 1435) Donatus More O'Kyally and others, etc. summoned, did not come, nor did any one stand pledge for them or any of them. Therefore it is resolved that he and the others named shall be outlawed as the writ requires.

Sewn to this writ.

Execucio istius brevis facta est prout patet in cedula huic brevi consuta.

Donatus More O'Kyally and others contained in this writ, having been solemnly summoned in the presence of John Broun and Thomas Howet, Keeper of the Pleas of the Crown, in the first, second, third, fourth and fifth county courts did not come to answer, etc. Therefore the said Donatus and the others outlawed as the writ requires.

Et sic ego Petrus Comyn vicecomes libertatis Tipp. respondeo.

[The following, in 15th century English, is written in a different and later hand, much faded, which seems the same as that used for the names added in the margins above. In these marginal additions the names of later prelates of Cashel, Waterford, Emly and Killaloe are put opposite the earlier entries as: John, archbishop of Cashel, Robert, bishop of Waterford, Cornelius of Emly and Tatheus of Killaloe. From these names we may date the writing as of the years 1446–1448; for Robert Poyer, bishop of Waterford, succeeded in 1446, and Cornelius O'Cunlis of Emly was translated in 1448. The approximate date for the following

ordinances would therefore seem to be before 1460, but exactly when or in what way they were enacted and promulgated we have no evidence to show].

De statutis et correctionibus et dominiis domini Comitis Ermonie in comitatu Typerar'.

(1) Item ther shall no man breke ye pees in counte Typerar w^{t} oute ye lord ys leve nether ryde w^{t} banerys dysplayd to prey to barne to rauusse apon non ffrend ne neybor of ye countre Typerar' and gyf any so dothe he shall fall in ye lorde ys mercy aftyr ye forme of laue and so har (their) recettours and mayntenours in ye same mercy.

(2) Item ther shall non jentyll man ne ravaynnour ne non other folke spen ye country wtoute ye lord ys leve apon the peyn of forfete of all har (*rubbed*).

(3) Item ther shall non chieften in ye (*rubbed*) aske non Coydhyhe ne forogr' (*rubbed*) freholer in ye liberte of ye counte Typerar [with]ouyt he be a man y^{t} ye lord gav leve by priuelege of his sele to hym apon ye peyn y^{t} may fall.

(4) Item ther shall no Keherynntye walke ye countre nether spen ye pepyll nether rec' non urlawus theryn ouyt except ye lord ys Keherynntye.

(5) Item ye lord shall hole hys syshonys every yer and call all hys liberte of ye contre Typerar to ye sayd sysen (session) in his owyn ffranchys to hym both spyrytuall and temporall lyke as hit ys w^{t} yn same roll as well as ye Kyng may hole hys parlement.

(6) And aftyrward ye countre shold graunte ye lord hys subsedy ye whych was other ys usyde thyrte marke and other whylys LX marke when nede wer.

(7) Item ye lord graunte[d] to James Galde Botiller hys owyn brodyr y^{t} he shold be keper of all ye countre undyr hym sylfe and sett forogr' and have coydhyhe in every free holer ys hous as wyd as all ye countre of Typerar' and hath graunt hym XXIIII fote men to serve hym wher he wolde go other walke, etc.

(8) And als so whan ye lord wolde go to any percoun (? : *faint*) he wolde sett hys horssyn and knawys and others to connyw awarle (*sic*) ye countre aboute hym and ys (this) by his marchall of horse ye whyche was Olyfer Comyn and Emond Travers, etc. Item Emond Ketyng and Laynagh Botiller was ye lord ys chyefteyns of hys Keherynty, etc.

[Mr. Charles McNeill kindly sends me the following note with regard to this interesting document :

" The document appears to be a copy of a writ with a sheriff's return as well as some later additions. It was the sheriff who attached the ' cedula ' of names of those from whom suit of court was required. The entries in faded ink are the other considerable addition to the return at a later time. Both these additions I would regard as made at the same period as each other and as the alternative (and later) list of bishops. The original list gave the names of the bishops of 1432 ; the additions to that list are names of their successors. Their date may be defined as within the pontificate of Tatheus of Killaloe (August 18, 1460–1463). This agrees with the archdeaconate of Richard Hedyane (iii) 1437–1463 to this extent, that he had appeared " in person " before 1463 ; but he cannot have been the same Richard who was set down in 1432 ; that was a predecessor of both his names. Your date, " before 1460 " is not invalidated by these facts, which determine the date of entry on the return, but not the date of making the statutes entered, which was necessarily earlier.

The dates of the bishops present some extraordinary confusions. In Emly there are two ' Cornelius ' bishops after Thomas ; but the second of them had gone before the end of 1448. How then could he be contemporary with James of Killaloe, 1460–1463 ? The explanation seems to be that he was still alive and in possession of the title without the office ; as late as 1456 he was acting as assistant to the English bishop of Winchester. How much longer he lived I do not know. But it is curious to find him recognised in Ireland so late as 1460. According to Eubel, William O'Hedian had been translated from Elphin to Emly in 1449 and retained Emly until 1475 ; but as he was to be secured a pension from Elphin, it may be inferred that Cornelius had still an interest in Emly and drew part of the revenue."

The " statutes and corrections " given above are of great interest but of a puzzling nature. No date is given. James ' Gallda,' who is called here the keeper of the Earl's country and ' own brother ' to the Earl, is given by Carte as an illegitimate son of James the third Earl, and ancestor of the Barons of Cahir, The " Annals of the Four Masters " under 1448 say : ' James Oge, son of James Gallda, son of the Earl of Ormond, died,' but contain no other reference.

There occur also some peculiar words, Irish and English.

' Ravaynnour ' (2) clearly seems to be written so, though one might expect ' retainer.' Mr. McNeill suggests however ' ravener,' " not an altogether inappropriate synonym for ' jentil man ' in the 15th century on some occasions in Ireland." ' Raisers of revenue ' might be suggested.

' Keherntye ' (4) are the Earl's ' kern of the household,' in Irish ' Ceithern tighe.'

' Recettours and mayntenours ' (1) are of course ' receivers and maintainers.'

As regards ' urlawus ' (4) Mr. McNeill thinks that this may be referable to an Irish term, *urlámhas* or *forlámhas*, authority or power. An alternative is to suppose that the word means ' outlaws ' and that the scribe wrote an ' r ' instead of a ' t.'

' Forogr ' (3) would seem to mean ' foragers ' or ' purveyors ' ; and ' Coydhyhe ' is ' night suppers ' (*cuid oidhche*), a typical ' Irish exaction.'

' Connyw ' (6) may be ' comhnuidhe,' stay or residence, as Mr. McNeill suggests, or ' coinmheadh,' ' coyny ' or billeting.

' Awarle ' (8) is curious ; possibly it is for " ower all."

In (3) and elsewhere some form of ' oute ' appears, and seems to need ' withen ' i.e. except or unless.

For the state of society touched on here, *see* " The Social State of the Southern and Eastern counties of Ireland in 1537 " in the *Annuary* of the Royal Society of Antiquaries of Ireland for 1868–9].

103.

Edmund and Richard, sons of Thomas Butler, quit-claim to James, Earl of Ormond, and his heirs for ever all their right in all lands, tenements, rents and services in the castle and manors

of Thorles and Woghterath and the lordship of Ely, as also in the barony of Cathyrdoueske, and in Offath and in Graces Castell in county Tipperary or in any parcel of the same. 'And because their seals are to many unknown they have procured the seal of the mayor of the city of Waterford to be set to these present. And we, Peter Stronge, mayor of the city of Waterford, at the special request of said Edmund and Richard, in witness and good faith of the above, have set the seal of the office of mayor of said city to these presents.'

Given at Waterford on the 10th day of March in the 11th year of Henry VI.

March 10, 1433. Three seals in good order, one evidently that of the Mayor, the others of the Butlers.

104.

Rental of Kilcrone for Easter term in the 11th year of Henry VI.

[The writing is rubbed in places].

The names of the tenants include Walter Lesagh, Annora Walsch, Donald Moile, David and Richard Carragh, Thomas Candelane, Nicholas McThomassyne, Nicholas Taillour, Philip McHanrok, Gilledan Walsch, Richard McWattyr, David Broun, Nicholas Andrewe, David Elfynesson.

Place names are : Balykeachane, Derrybansagh, Knocdeket.

Total rents amount to *2l.* *7s.* *10d.*

April, 1433.

105.

Three Deeds.

1) John Prowte, chaplain, vicar of Thomastown, quit-claims for himself and his heirs to Robert Dullard of Kilkenny all his right in a messuage and all other messuages, lands and tenements, etc., in Nywehous, Kylbleyne, Dungarvan, Roweston and elsewhere in Ogenty in county Kilkenny.

Witnesses : Adam Smyth, Robert Largenan, John Brodyr and John Brewce.

April 20, 1433.

2) Deed of attorney of Robert Dullard of Kilkenny appointing Robert Carragh Erchedekyn of Kyllerne his bailiff for placing Laurence Arlonde of Thomastown in full seisin of all his lands in ' le Nywehouse,' etc. (as above). To have and to hold to him and his heirs for ever.

May 4, 1433. Seal perfect.

3) Robert Dullard, burgess of Kilkenny, quit-claims to Laurence son of William Arlonde of Thomastown and his heirs for ever all his right in all messuages, lands, tenements etc. in ' le Nywehouse,' Kylbleyn, Rowestown, Dungarvan and elsewhere in county Kilkenny. And because his seal is to many unknown he has procured that of the Sovereign of Kilkenny to be affixed.

April 10, 1437. Two seals perfect ; one apparently Dullard, the other of the Sovereign of Kilkenny.

106.

Isina, daughter of Maurice fitzDavid McGriffyn, in her liege viduity gives and grants to Richard son of John son of Philip McGriffyn four carucates and seventy-two acres of land, wood, moor, etc. Of which one and a half carucates both of arable as of moor, wood and meadow lie in Griffokeston in the tenement of Cassilgannan in the parish of Kilnedde, and one in Couleryn in the same parish, and a half carucate of land, moor, wood and pasture lies in Dyrilacagh in the same parish. And one and a half carucates of land, moor and pasture lie in Mowrennyn in the parish of Killese, and twelve acres in the same parish, called Gyllelaghyreslond. To have and to hold to him and his heirs for ever.

August 8, 1433. Portion of seal.

107.

John son of Nicholas Howlyn gives and grants to James, Earl of Ormond, 5*s*. of annual rent which he is accustomed to receive yearly out of a half carucate of land which belonged to Philip fitzAdam in Eynoneston in the tenement of Lyssmeraghty ; 10*s*. of annual rent which he was accustomed to receive yearly in

Ballybregan in Croc' [? the Crosses] ; 3*s*. yearly from the messuage in which Richard Skyllyng and Philip Skyllyng lately dwelt ; 3*s*. yearly from a great croft near the said messuage ; 3*s*. yearly from Gilbert Cloghecroan there ; 12*d*. yearly from a garden near the same messuage ; 6*s*. 8*d*. of annual rent which he was accustomed to receive yearly from lands and tenements formerly belonging to Thomas Nywan in Lestowthye ; 6*s*. of annual rent in [Mow ?]renyn in the parish of Kyllnedde ; 6*s*. 8*d*. of annual rent in Rathgulby out of the lands which formerly belonged to . . . son of William fitzHugh, cleric, there ; and 40*s*. of annual rent out of the lands and tenements which formerly belonged to Patrick son of Richard fitzOliver in Carrygnemokelagh, Methelagh, Correston, Ballyseskyn. To have and to hold to him and his heirs for ever.

September 3, 1433.

108.

Roll of amercements before John son of William le Botiller, Seneschal of the Liberty of Tipperary, on Monday next after Michaelmas in the 12th year of Henry VI in the assizes.

John Heyne, merchant, puts in his place Thomas son of William Lawles to win or lose in a suit between himself and John Lewys, merchant, on a plea of debt.

Raymond son of John Bremicham [Bermingham] puts in his place Thomas and David Whyte alternately (*sub alternacione*) to win or lose in a suit between himself and Thomas fitz Vicar (*filium vicarii*) of Carbri on a plea of debt.

Arlo (*sic*) Maydewell puts in his place Thomas son of William Lawles to win or lose in a suit between himself and Maurice (*blank*).

John Britton puts in his place John son of Nicholas White, Thomas son of said Nicholas, and Thomas son of William Lawles alternately to win or lose in all suits and pleas which may arise by or against him.

William O'Dieregane puts in his place Richard Laynagh to (*blank*).

Similar entries follow. Among the names are Peter fitz-Redmund, Peter son of Richard Whyte, Gillepatrik More O'Meyry and Donald O'Nyele of Rathmacarcyn.

Richard Morton shed the blood of Philip More Walshe and Philip made an affray on the former.

Matthew O'Donohyr shed the blood of Walter Ley of Ballycarrane.

William Duff Mareys [? serjeant] presents by his office that Alice Vale shed the blood of Margaret Braynok and the above Margaret shed the blood of Alice.

The sheriff in mercy because he did not return for Cornelius O'Brygh on Friday after the feast of the Nativity of John the Baptist.

October 5, 1433.

[The skin is a narrow one about fourteen inches long and is much torn and faded].

109.

Writ of James, Earl of Ormond, Lord of the Liberty of Tipperary, to the sheriff of the same, directing him to have the body of John Walsche, merchant of Youghal, if he can be found in his bailiwick, to answer to Nicholas Lyncoll on a plea of unlawfully detaining 40*l.* silver from him. If he cannot be attached then to attach whatever goods he has in the bailiwick.

Given at Clonmel on the 26th day of October in the 12th year of Henry VI.

October 26, 1433.

110.

Rentals of Knocktopher, Callan and other lands of the Earl of Ormond.

[The first part of the skin is faded but refers to Rosbergon].

Grennagh.

Chief rents from Newhous (?), Cloynstyrok (?), Flemyngston, Ballisallok, Kilgargan, Kilcoyn, Clonasse and lands in Offad. Total 8*l.*

Overk.

Chief rents from Typeroyly, Bewley, the lands of William Walsch in Polrothan, a carucate in Ardbarry, Baliheyn, Balcasyn,

Dowyngawnyl, Deketeston in Overk, Portynhill, Fydown. Total 3*l.* 12*s.* 5*d.*

Knocktopher.

Chief rents from the burgagery of Knocktopher, (4*l.* 17*s.* 6*d.*). Modayneston, Howelleston, Knoknegawyr, Lestowthy, etc., (as in rental of April, 1444). Total 11*l.* 5½d.

The Iraght of Callan.

Chief rents from William Comerford, Robert White, Thomas White of Westcourt and William Coterell. Total 10*s.* 9*d.*

Carrickmagriffin.

Rents from the burgagery there 118*s.* 6*d.*, etc.

The Castle of Kilkenny.

Chief rents of Kilcryn, Newhous, Drakland, Coynesland near Kilblyn, Thomastown, Rathgulby, Tireskegh, Aghnyrle, Cloghmantagh, M^c^ Kilcronan, Carlesky, etc.

From the heirs of Gillecarruk McShane for Garrymore, 14 acres at Cloiragh to the feast of Martinmas 1*s.* 10*d.*

For a parcel of land there called Threhonsyn 3½*d.*

From the annual rent due to James, Earl of Ormond, from John son of Nicholas Howlyng on the 3rd day of September in the 12th year of Henry VI. These lands lie in Balybregane, Lestouthy, Kilnew, Mowreny, Ragulby, Carrigmokelagh, etc. Total 3*l.* 13*s.* 4*d.*

[1433–1434].

[The dorso contains law-cases held in the hundred court of Kells before John Osmond, deputy of Nicholas Eyleward, reeve there, on . . . after the feast of St. Martin (" Martini " is partly erased and " Valentini " added) in the 40th year of Henry VI.

Nicholas White, Prior of the House of the B.V.M. in Ossory, against Schane Boy Bourk on a plea of unlawful detention. A few other cases follow].

111.

Margaret Grant gives and grants to James, Earl of Ormond, 16*s.* 8*d.* silver of annual rent out of the lands and tenements which the burgesses of Kells hold of her in the burgagery there by common charter which they have for the same from Geoffrey fitzRobert. To have and to hold to him, his heirs and assigns for ever.

January 14, 1434. Grant seal perfect.

112.

Indenture made on the 20th day of January in the 12th year of Henry VI between James Botiller, Earl of Ormond, on one part and the Prior and convent of St. John the Evangelist near Kilkenny on the other, witnesses that whereas the Earl granted to the said Prior, etc., four marks of annual rent for ever out of his lordships near Kilkenny called " le Stonemille,"/in return for which the Prior and convent bound themselves to maintain for serving God and the B.V.M. in the chapel of the Earl's castle at Kilkenny an honest and decent chaplain to celebrate masses there from day to day, etc./now the Earl has given and granted to the Prior, etc., forty shillings yearly rent out of the mill called " le Mawedleyn mill " to be paid by the hands of Walter Shirlok and Rose his wife during their lives, so that after them the said mill shall remain to the said Prior, etc., for ever ; in return for this the Prior, etc., bind themselves to maintain at their house of the poor at St. John's any two poor clerks such as the Earl should choose, etc.

January 20, 1434.

113.

Margaret Brit of Cashel gives and grants to John son of Richard son of John Walsh a messuage in the town of Cashel, which lies in St. John's street in the same as far as the garden of Walter son of Henry de Burgo in length, and in width from the little stream called Madoke to the land formerly Richard Walsh's, in which Dermot O'Hyffernane lives. Also he gives to the same John a garden in Cashel lying between the oven of the

said town and the land of Thomas de Sancto Johanne on the east. To have and to hold to him and his heirs for ever.

Given at Cashel on Tuesday next after the Invention of the Holy Cross in the 12th year of Henry VI.

May 4, 1434. Seal in good order.

114.

Indenture made on the 10th day of May in the 12th year of Henry VI, between James le Botiller, Earl of Ormond, on one part, and Nicholas son of Peter son of Henry Botiller on the other, viz. that Earl James has leased and to farm let to said Nicholas, for his good service, all lands, tenements, rents and services which the Earl has in ' le Meidlagh,' Laynaghestoun, Coristoun, Sandrestoun, Hopkystoun and Moyelen [?]. To have and to hold to Nicholas for the term of his life paying yearly to the Earl 100*s.* silver, whereof 6*s.* 8*d.* to Walter Glorne, for holding an office at the court there.

May 10, 1434. Portion of seal.

[See Deed 198 volume II of this Calendar. The above Deed is one of three stitched together].

115.

Indenture made at Kilkenny on the 20th day of May in the 12th year of Henry VI, witnesses that James, Earl of Ormond, for the good service done to him by Robert Chamberleyn, has given and granted by this present indented charter to Robert and his wife Elena a vacant piece of land (*totam vacuam terram suam*) which in length and breadth lies and stretches between the inner and outer walls of his castle of Kilkenny, for the purpose of raising and building houses sufficiently covered with straw, together with the greater tower situated within the said outer wall and all buildings existing on the same land ; also his (the Earl's) garden called ' le Burton heye.' To have and to hold to them and the survivor of them for the term of their lives, paying yearly one penny silver. Also the Earl grants to them and all

their tenants whatsoever dwelling on the same land free entry and exit by the outer gates of the castle without impediment by the constable of the same.

May 20, 1434. Seal of Chamberleyn.

116.

Indenture made at Carrig on the 5th day of June in the 12th year of Henry VI between James, Earl of Ormond, and James his brother, witnesses that the Earl has granted to him the manor and castle of Ballycolenan rendering therefor yearly a rose.

June 5, 1434.

Dorso : The glanne of Balycollenan.

(The second James may have been James Gallda, an illegitimate brother of James the Earl).

117.

Juliana Dewenysche in her liege viduity quit-claims to John son of William Waryne, her son, and his heirs for ever all her right in a messuage, two carucates of land, sixty acres of wood and a water-mill, etc., in . . . (*faded*).

June 18, 1434. Seal complete.

Dorso : Brounestoune.

118.

Letters patent by James, Earl of Ormond.

" Whereas John Grace, lord of Tillaghrothan, is dead (*diem suum clausit extremum*) and Alexander, his son and heir, is in our wardship being under age, whose marriage belongs to us because the said John held of us in chief by military service, we have given and granted to Oliver son of Robert Shorthals and his assigns the marriage of the said Alexander together with the custody of all lands, tenements, rents, services which by the death of the said John Grace have been taken and seised into our hands, as long as they shall remain in our hands, without rendering anything therefor.

Given at Kilkenny on the 1st day of July in the 12th year of Henry VI."

July 1, 1434. The Earl's seal perfect.

119.

Rental of the Earl of Ormond in counties Kilkenny and Tipperary in Michaelmas term in the 13th year of Henry VI made before Walter Shirlok, the lord's Seneschal, and Walter Glerne, deputy of the same.

Overk (for the term).

Chief rent of Killegrane, Kilcryne, Fydown, Portynhill, Downegowll, Portnescoill, Ardbarry, Ballyheyn, Cloyncoury, Rathgulby, Flemyngeston. (Total oblliterated).

Grennagh (for the term).

Makine for the farm of Dunfenane and Polrothan	40*s.*	
William Walsch for the farm of Clogagh .	10*s.*	
The farm of Clonasse	6*s.*	8*d.*
The farm of the lord's mill there . .	10*s.*	
Geoffrey Graunt for his farm in le Newton .	4*s.*	
The cultivated land (*cultura*) of Newton .	2*s.*	8*d.*
,, tenure of Richard O'Mayntane . .	3*s.*	4*d.*
,, ,, ,, William Taillour . . .	4*s.*	
,, ,, ,, Philip Fors . . .	5*s.*	
,, ,, ,, the same for the ferry there .	3*s.*	4*d.*
,, ,, ,, fitz David Don at Donbryne .	2*s.*	
,, ,, ,, Geoffrey Mor . . .	2*s.*	
,, ,, ,, Janyng Irraghty . . .	5*s.*	
,, ,, ,, John Camford . . .	5*s.*	
,, ,, ,, Edmund Graunt . . .	10*s.*	
,, ,, ,, William More . . .	10*s.*	
,, ,, ,, John Walsch, smith, . .	3*s.*	4*d.*
,, ,, ,, Philip Dakesson and David Prendergast	2*s.*	6*d.*
,, ,, ,, Androc O'Laur . . .	3*s.*	4*d.*
,, ,, ,, Henry O'Laur . . .	2*s.*	
,, ,, ,, Nicholas O'Hee . . .	5*s.*	
,, ,, ,, David 'filii clerici' . .	3*s.*	4*d.*
,, ,, ,, John O'Brodyr . . .	6*s.*	8*d.*
,, ,, ,, Gillereagh at Illyd . .	6*s.*	8*d.*
,, ,, ,, Thomas Walsch there	5*s.*	
,, ,, ,, David Walsch there . .	6*s.*	
,, ,, ,, Robert Boyd there . .	4*s.*	

The tenure of Henry Sueteman there . . 4*s.*
,, ,, ,, Gillekyn . . . . 6*s.* 8*d.*
,, farm of Ballisallagh . . . 6*s.* 8*d.*
Janyn Irraghty and Janyng Camford for cultivated acres at Deketeston . . . 8*d.*
David McLaw for cultivated acres at Redemore . 15*d.*
The issues of lord's court at Grennagh.

Total 9*l.* 11*s.* 9*d.*

Ballygaveran (for the term).

The rent of the burgagery there . . 13*l.* 6*s.* 8*d.*
Issues and profits of the hundred . . 4*s.* 2*d.*
Nicholas Purcell for farm of the mill . . 20*s.*
Schan More McEyote for his farm . . 20*s.*
Nicholas Somerton for 3 acres of demesne . 12*d.*
Gilboy " Corvisor " for his cottage . . 2*s.*
Gancagh O'Raghty ,, ,, ,, . . 8*d.*
Matthias Smyth ,, ,, ,, . . —
The same and Thomas O'Ketow for 2 acres of demesne 8*d.*

Total 15*l.* 15*s.* 10*d.*

Rosbargoyne (for the term).

Rent of the burgagery of Rosbergon . . 24*s.* 4*d.*
For " vadacio " of the lord's meadows there for two terms in arrears . . . . 5*s.* 10*d.*
Henry Vernane for the farm of the ferry there . 3*s.* 4*d.*
Remyne Shenagh for 1 acre of demesne . . 3*s.* 4*d.*
David Chepman and Thomas Harebruk for farm of Whiteston . . . . . 3*s.* 4*d.*
Chief rent of Balicoyng . . . . 20*d.*

Odaa (for the term).

Chief rent of Rathpatrik . . . 6*s.* 8*d.*
,, ,, ,, Cowlefeagh . . . . 8*s.*
,, ,, ,, Gurganes . . . . 12*d.*
,, ,, ,, Nicholas fitz John for farm of demesnes of Drumdowny . . . 10*s.*
,, ,, ,, Henreston . . . . 5*s.*

Chief rent of Cloneaghagh at Martinmas term per annum	3*s.* 6*d.*
From Richard Gileward and Trystamesweir	5*s.*
Total	3*l.* 18*s.* 9*d.*

Knocktopher (for the term).

Rent of the burgagery	37*s.* 11*d.*
James Whitefeld for demesne lands	5*s.*
Theobald Coke ,, ,, ,,	3*s.* 6*d.*
David Chepman ,, ,, ,,	10*s.*
David Chepman for the lord's mill	10*s.*
James Whitefeld for a cottage in the demesne	5*d.*
Philip Gardir for Owtonesrath	20*s.*
Philip Gardir for Cascrofte	20*d.*
Rent of the demesne near Lenescrosse	3*s.* 4*d.*
Forensic rent	6*s.* 4*d.*
The cultivation (*cultura*) of Carmerthyneston	5*s.*
Chief rent of Baligeragh	4*d.*
,, ,, ,, Gorsagrit (?)	6*d.*
From Castelleganane	20*d.*
Chief rent of Lesmataig	12*d.*
,, ,, ,, Knocmolane by the tenants of Kylheryll	4*d.*
,, ,, ,, Balibregane ,, ,, ,, ,, ,,	¾*d.*
,, ,, ,, Moncell, lately Janyng Houlyne	20*d.*
Total	7*l.* 7*s.* 11¾*d.*

Castle of Kilkenny.

Tybyna Walsh and Elias Archer for the farm of the stone mill	3*l.* 13*s.* 4*d.*
Walter Shirelok for the farm of Towermyll and Mawdelynmyll	40*s.*
John Coke for the farm of the weir of the Nore (*Noyre*)	3*s.* 4*d.*
The same for the farm of ' les Inches '	20*d.*
Chief rent of Walter Glerne for the farm of his messuage	18*d.*
,, ,, ,, Kilcryne for the term	11*s.* 8*d.*
,, ,, ,, Brakelonde, ditto	12*d.*
From Robert Chamberleyne for ' Bartoneshey ' ditto	8*d.*

Chief rent of Newhouse ditto . . .	8*s.*
,, ,, ,, Staneslonde ditto . . .	6*s.* 8*d.*
,, ,, ,, Roweston near Kilfayne ditto .	3*d.*
,, ,, ,, Shulhamesraith ditto . .	3*d.*
,, ,, ,, 'Grasheys' at the feast of St. John the Baptist per annum one sparrow-hawk.	
From Joan Croker for her messuage for the term	12*d.*
Total 7*l.* 9*s.* 4*d.*	

Irraght and "Hill de Callane" (for the term).

Chief rent of Richard Quemerford at Maioweston	16*d.*
,, ,, ,, William fitzGerot . . .	12*d.*
,, ,, ,, Westcourt	9*d.*
,, ,, ,, 1 acre in hands of Peter Troddy .	2*d.*
,, ,, ,, Janyng White . . .	2*d.*
Rent of the acres of 'le Hyll' . . .	3*s.* 4*d.*
,, ,, ,, cottage there . . .	15*s.* 3*d.*
Services of the Prior	3*s.* 4*d.*
Farm of Keppaghedyne . . .	26*s.* 8*d.*
,, ,, Kylaloo	13*s.* 4*d.*
,, ,, Williesgrage	6*s.* 8*d.*
,, ,, Moregrage	6*s.* 8*d.*
,, ,, Monyclone in hands of W. Tobyne .	26*s.* 8*d.*
Total 5*l.* 5*s.* 3*d.*	

Carrickmagriffin (for the term).

Rent of the burgagery	59*s.* 3*d.*
The fines there	6*s.* 8*d.*
The oven	3*s.* 4*d.*
Chief rent of Richardeston . . .	1*d.*
,, ,, ,, Mayneston . . .	1*d.*
,, ,, ,, Bellaghdir	2*s.* 6*d.*
Rent of the burgagery of Lynnane . .	14*s.* 6*d.*
Robert Walsh for the farm of Monybrytayne .	16*s.* 8*d.*
The demesne lands of the lord's mill there and at Cregge in the hands of Richard Vale for his fee for the term	6*l.* 13*s.* 4*d.*
The same Richard for farm of a messuage near the orchard	20*d.*

Chief rent of Leaghbally . . .	7*s.* 10*d.*
Edmund fitz Robegeon for Carrigbegge . .	13*s.* 4*d.*
The same for the farm of Kilbreynyn . .	3*s.* 4*d.*
Chief rent of Tynemyle	6*s.* 8*d.*
Total 13*l.* 12*s.* 7*d.*	

Nicholas Botiller for farm of Moydllagh, Moycleowyr, Laynagheston, Hopkyneston, Correston and Lomok	46*s.* 8*d.*
Divers tenants for the farm of Molynbro .	4*s.*
Total 50*s.* 8*d.*	

Barony of Baligaverane (for the term).

Chief rent of Rathcowle	10*s.*
,, ,, ,, Janyng Kylrame . . .	6*s.* 8*d.*
,, ,, ,, Fynell	6*d.*
,, ,, ,, Symoneston . . .	6*d.*
,, ,, ,, Cowlerobyll . . .	3*s.* 4*d.*
,, ,, ,, Brykynesclaragh . . .	2*s.* 5½*d.*
Abbot of Jerpoint for farm of Denneslond and in Treddyneston	13*s.* 4*d.*
Total 36*s.* 9½*d.*	

Dorso contains ' payments and assignments of the lord,' to his constables of Knocktopher, Gowran and Carrick-on-Suir, the rent-collectors of Idogh etc., allowances to individuals etc.

Total 64*l.* 3*s.* 1½*d.*

Also a brief account of James, son and heir of Elias Vale, reeve of Carrick (on-Suir), made by Philip Chepman, his deputy, for the above term.

Total 3*l.* 9*s.* 3*d.*

November, 1434.

120.

Indenture, dated the 13th day of December in the 13th year of Henry VI, witnesses that James, Earl of Ormond, has granted and to farm let to Annota Walshe and Robert Walshe her son the custody of his castle at Carrik and the ferry (*veriagii*) to do all

and sundry that belong to the offices of constable and " vector." Rendering for the ferry sufficient fuel to the household of the Earl and his heirs within said castle. To hold said office for the term of their lives or the longer liver of them, receiving in same office the accustomed wages and rewards. They shall bind themselves faithfully to guard said castle and to return it at the end of term to the Earl or his heirs " stiff and staunche." Also the Earl grants and to farm lets his vill of Carrik with all its profits, for as long as it shall please him, rendering yearly thirty shillings silver. And they shall permit the lord's fish to be taken and shall guard them and said castle and do all other things which constables were anciently wont to do for the lord. And the Earl promises to exempt them from coygnes, kernes, tallage, subsidies and all other burdens current within said Liberty for the term of their lives.

December 13, 1434. Seal.

121.

Johanna, daughter of William son of Philip Gibbon, cousin (*consanguinea*) and nearest heir of William son of Gilbert Martyn, in her liege viduity gives and grants to Richard son of Walter Prout ten acres of land lying in Martynescrofte and in Rathawell in the tenement of Henrywhitestoun in the barony of Kells in Ossory, which land said William son of Gilbert Martyn held in his own heritage, whereof he died seised and which by hereditary right after his death descended to the above Johanna. To have and to hold to him and his heirs for ever.

March 21, 1435.

122.

Indenture made on the 22nd day of April in the 13th year of Henry VI witnesses that James, Earl of Ormond, has granted and to farm let to William fitzOlyver all lands, tenements, rents and services which he has in Meidlagh together with a mill and " le quarell " there and in Laynaghestoun, Sandrestoun, Lomok, Correstoun, Moclever. To have and to hold for the term of his life, rendering therefor eighty marks silver.

April 22, 1435. Seal.

123.

Indenture made on the 22nd day of April in the 13th year of Henry VI witnesses that James, Earl of Ormond, has granted and to farm let to Thomas Howell his old mill near Knocktopher called " Mochemyll, " together with the water course from of old belonging to the same. To have and to hold for the term of his life, rendering therefor yearly twenty shillings.

April 22, 1435.

124.

Indenture made on the 22nd day of April in the 13th year of Henry VI witnesses that James, Earl of Ormond, has granted to William Boyd of Kilkenny all his land outside " le Shirehall-gardyne," from the gate of same garden by measures and bounds between that garden and the garden of said William and the water of the Nore in length, and between the wall of the Earl's garden and the common road by which you go from said William's messuage to the Earl's castle. To have and to hold for the term of twenty years, rendering yearly therefor twelve pence silver. And said William and his heirs shall build on the land aforesaid and return it at the end of the term to the Earl or his heirs " styf and stanche."

April 22, 1435.

125.

Indenture in latin between James, Earl of Ormond, and Walter Glerne, witnesses that the Earl has leased and to farm let to Walter two messuages near his castle at Kilkenny in which John Meisone and McRebur lately dwelt. To have and to hold to them and their heirs, for the term of twenty years, rendering yearly six shillings and eight pence silver to the Earl. (Provisions for upkeep and safe return follow). The Earl also grants to Walter for life the custody of his castle called ' le Shirhall gardeyne.'

April 24, 1435. Seal of Glerne.

126.

John son of David Walsch, burgess of Rosponte, appoints David Lang his bailiff to place David son of Philip Boscher in

full seisin of all messuages and places adjacent within the walls of Rosponte according to a charter thereon made.

Given at Instyok on the 1st day of August in the 13th year of Henry VI.

August 1, 1435.

127.

Richard Hout (or Hont), chaplain, and Walter Pembrok give and grant to John son of William Waryne a messuage, two carucates, sixty acres of meadow, twelve of moor and forty of pasture, and one water mill in Brouneston in the tenement of Fynell. To have and to hold to him and the heirs male of his body lawfully begotten. And if he die without heir male, etc., remainder to Patrick son of Fulc de la Freyng similarly. And if he die without heir male, etc., then remainder to the right heirs of the aforesaid John son of William.

Given at Kilkenny on the 10th day of December in the 14th year of Henry VI.

December 10, 1435. Seal perfect.

128.

Nicholas Prendergast gives and grants to Nicholas Burtoun of Ross, and to his heirs and assigns, a garden and a dove-cot in the parish of St. Evin, and a croft within the franchise of Ross. The garden lies between the high-way on the south to Nicholas Aunger's land on the north in length and in width between William Botiller's land on the west and that of James Cornewalsh on the east. The croft lies from the high-way on the south to the high-way on the north and in length and width between Alan Morgh's land on the west and that of William Botiller on the east.

Given at Ross on the 28th day of September in the 15th year of Henry VI.

Witnesses: Sirs Thomas Wyot and William Barkeley, chaplains, William Botiller, David Lacy and Thomas Brenan.

September 28, 1436. Seal.

129.

Inquisition taken in the Court of the Barony of Lisroragh.

John Cam Howet, serjeant of the barony of Lisroragh, in the court of the same before John son of Nicholas White, seneschal, on Tuesday next after the feast of St. Luke Evangelist, in the 16th year of Henry VI, presents that Thomas Benet shed the blood of Maurice O'Corry at Felereston. The seneschal asks Thomas Benet if he knows cause why he should not satisfy the lord of the barony in 5*s*. for the blood shed. Thomas Howet, lord of the manor of Felereston, comes and says that cases of effusion of blood belong to him because Reginald, formerly lord of the county of Tipperary, enfeoffed the ancestors of Thomas in Felereston with the following liberties : cognizance of effusion of blood, hue and cry, trespass of debt, breaches of the assize of bread and ale and flesh, and defect of watch and ward, at service of one pound of pepper per annum. For this he puts himself on the country.

A jury is summoned who find that Thomas and his ancestors were duly enfeoffed of the said manor and liberties and had cognizance of effusion of blood.

Given at Lisroragh in the year and day as above.

Witnesses : John Broun, sheriff of the Cross of Tipperary, William Marres, chief serjeant of the county, Walter Marres, vicar of Lisroragh, Patrick Walche, chaplain, and Walter Yong, reeve of the said vill.

October 22, 1437.

Dorso (latin).

Inquisition taken at Gragwoyssi (*sic*) in Eliogarty on the last day of December in the 33rd year of Henry VI, between John Cantewell, archbishop of Cashel, and Edmund, son of James son of Peter Butler (*Edmundum filium Jacobi Petri le Butler*), with regard to the true bounds of the lordship of Lisnesoslyngyth, Clochemartin and Ballinhuddythe ; left to the judgment of Oliver Bourdon and Thomas Howet to examine witnesses sworn on the holy Cross of Ochterlawyne.

Jurors are John Rewagh Stapelton, John O'Linch, Thomas O'Kenayth, Philip O'Herke, John O'Herke, Thomas O'Coyne, William Jordan, Donald O'Costalwe, William Ketyng, William O'Brenane, Donald Rewagh O'Karran, David Roth O'Laffynthe,

Shean O'Cronane, Thomas O'Hee, Donat O'Ronan, Thomas Keag.' (Rest faded and torn).

December 31, 1455.

130.

Deed of attorney by Raymond fitz Walter Datoun appointing Nicholas fitzElys Datoun his bailiff for placing Richard fitz Redmund (*Ricardum filium Remundi*) de Valle and Joan his wife in full seisin of a townland called Atheny near the water of Lynnan in county Tipperary, to have and to hold to them and the heirs male between them begotten.

Given at Castleton on Friday next before St. Margaret's day in the 16th year of Henry VI.

July 18, 1438. Seal.

131.

Two Deeds.

1) Johanna daughter of William Kylrawne appoints Philip Walsch of Dengynmoyr to place Patrick son of Fulc de la Freyne in full seisin of all her lands, messuages, rents, etc., in the manor of Grage in the parish of Mayne, and all her other messuages, etc., in Kilbyiston, Tyllaghlasse, Brownesplace, Kilrawne, Casteldogh, Mayne and in the tenement of Donmoyr.

January 18, 1439.

2) William White of Wowynstoun son and heir of Johanna Kilrawne quit-claims for himself and his heirs for ever to Patrick son of Fulc de la Freyne all his right in all manors, messuages, lands, rents and services in the manor of Grage in the parish of Mayne in Kilbyiston, Tyllaghglasse, Brounesplace, Kilrawne, Mayne, Casteldogh, Brekeleyiston, and in the whole parish of Donmoyr. And because his seal is to many unknown he has procured to be affixed that of the Sovereign of Kilkenny.

"And I, John Archer, sovereign of the town of Kilkenny, at the request (*procuracionem*) of the abovesaid William have had affixed the seal of my office."

January 25, 1439. Two seals, perfect. One is that of the sovereign of Kilkenny.

132.

Joan daughter of William son of Philip Gybbon in her liege viduity, gives and grants to James, Earl of Ormond, the manor of Denghynmore with all its appurtenances within the barony of Kells in Ossory, and all messuages, lands, and tenements which she has in the tenement of Henrywhiteston in the same barony, together with the reversion of a third part of all the aforesaid messuages which part Margaret, relict of William son of Gilbert Martyn, holds in dower during her life and which after her death ought to return to the grantor and her right heirs. To have and to hold to him and his heirs for ever.

July 1, 1439. Joan's seal perfect.

133.

Richard son of Walter Prout gives and grants to James, Earl of Ormond, one messuage and one and a half carucates of arable land as well as moor and pasture in Croan in the tenement of Aghbilir in the barony of Knocktopher ; eight acres of land near the same in . . . in the barony of Kells in Ossory, and twenty acres of land formerly Nicholas Bathe's near ' le Cordyr ' two shillings of annual rent out of . . . Condowan in Robyneston ; and two pence of annual rent out of Balygerdyr, together with common pasture . . . . . lately Maurice Bathe's in the said tenement.

July 6, 1439. Seal in beautiful order.

134.

Malachias O'Fynyne and Anastasia Datoun his wife give and grant to James, Earl of Ormond, his heirs and assigns one acre of land in ' Villa de Ownyng ' *alias* Bewles, together with the advowson of the church of the B.V.M. there, to have and to hold for ever.

Because their seals are to many unknown the seal of the mayoralty of the city of Waterford is affixed at their request.

February 1, 1440. Three seals, one of the mayor of Waterford, one apparently of Malachias, with three leopards.

135.

Letters patent of Henry VI on the outlawry of Thomas fitzMaurice.

" Henry King of England, etc., to all greeting. We have inspected the record of an outlawry held before us as follows by the tenour of an inquisition before James Cornewalsh, deputy Chancellor of Ireland, Robert Dowedall, chief justice of the King's Common Bench of Ireland, John fitz Robert, mayor of Dublin, William Chevyr, second justice for pleas *Coram Rege* in Ireland, and Edward Somerton, the King's serjeant-at-law in Ireland, assigned by letters patent to enquire, hear and terminate in county Dublin, both within liberties as without, all and singular treasons, felonies and trespasses as in said letters patent is contained, on Thursday next after the feast of the Purification of the B.V.M. in the 18th year of Henry VI, by the following, viz., William Graas, goldsmith, David Hay, glover, John Notte, William Botiller, John Fleming, " flacher," Nicholas Mylys, Peter Husse, ' cotoner,' William Bourke Sherman, Hugh Saddeler, Richard White Braban, William Ley, Thomas Vyne Hoper, William Fernys, smith, and Richard John Glover. Who say on oath that Thomas fitz Morice of Kyldroght, gentleman, came to (*apud*) Dublin on Saturday after the feast of the Conversion of St. Paul in the 18th year of Henry VI, and there adhered to Bren O'Brenne and divers others of the O'Brynnes, Irish enemies of the King, and sold and gave to them bread and ale to the value of twenty shillings, they being then openly at war, and there with banners displayed took Hugh Coryngham, clerk, and Donald O'Flyng, " cotoner," and robbed them of two horses worth forty shillings and also robbed John Hull of linen cloth worth twenty pence treasonably and against their allegiance.

Also they say that the same Thomas came to Kylgoban with Irish enemies, viz. Brian (? : Bran) O'Brynne and others, on Thursday next after the feast of the Purification of the B.V.M. in the same year, and there burned the wheat and corn of Murgh McHarry, James Walsh Adamesson and Richard O'Brothyr being in haggard and stacks (*taxis*) treasonably and against their allegiance.

Therefore the sheriff was ordered to take the said Thomas under this form :

' James Cornewalsh, etc., (as above) to the sheriff of Dublin.

We order you to take Thomas fitz Morice, gentleman, of Kyldroght, indicted in the King's court before us of divers treasons and felonies against the King's peace, wherever you may find him in your bailiwick and guard him safely in the King's prison so that you may have his body before us at Dublin on Thursday next after St. Scholastica's day, to answer for such treasons and felonies, and you shall have there this order. Given on the sixth day of February in the 18th year of Henry VI. [February 6, 1440].'

'On which Thursday Thomas de la Feld, esquire (*armiger*), then Sheriff of Dublin, answered that said Thomas was not found in his bailiwick. He was then ordered to take the said Thomas in these words. 'James Cornewalsh, etc., as above, (order to the sheriff to take and keep Thomas and produce him at Dublin on Saturday next before the feast of St. Gregory, Pope). Also you shall take and seize into the King's hands all such goods and chattels of said Thomas as are found in your bailiwick and have them valued by oath of good and lawful men in your bailiwick and have this before us on the same day with this order. Given on the 11th day of February in the same year.

On which Saturday the sheriff answered that the said Thomas was not in his bailiwick. Whereupon he was ordered to attach Thomas before him and the keepers of the pleas of the Crown of the said county in full county court under this form.'

'James Cornewalsh, etc., as above. Order to the sheriff to summon Thomas,indicted for treasons, felonies and divers other articles specially touching the King, before himself and the Keepers of the pleas of the Crown as above, until according to the law and custom of our land of Ireland he shall be outlawed if he do not appear, and if he does then you shall take him and safely keep him in the King's prison so as to have his body before us at Dublin on Thursday next after the feast of St. Martin, Bishop, to answer etc., and also you shall take and seize into the King's hands all goods, chattels, lands, tenements, rents and services of Thomas aforesaid, felon, wherever they shall be found in your bailiwick, etc. and have the value returned before us on the said day with this order. Given on the 28th day of April in the 18th year. [April 28, 1440].'

'On which Thursday after St. Martin's day the sheriff answered that the order had been executed as appears in the document attached to the order.'

'County court of Dublin, held at Dublin before abovesaid Sheriff and Keeper of the pleas of the Crown of the same county on Tuesday next after St. Barnabas in the 18th year. Thomas fitz Morice of Kyldroght, gentleman, contained in the writ attached to this document, being a second time summoned (*exactus*) at the suit of the King that he should come to the King's peace to answer for divers treasons, etc., did not come nor surrender himself to the said sheriff.'

'County court of Dublin, held (as before) on Tuesday next after the Translation of St. Benedict in the said year, Thomas fitz Morice, etc., being a third time summoned, did not come or surrender, etc.'

'County court of Dublin, held at Dublin, etc., on Tuesday before St. Laurence's day in the said year, said Thomas, being a fourth time summoned, did not come or surrender, etc.'

'County court of Dublin, held at Garryeston, etc., on Tuesday before the feast of the Nativity of the B.V.M. in the same year, Thomas fitz Morice, being a fifth time summoned, did not come, etc. Therefore he is outlawed. And he has no goods or chattels, etc., in my bailiwick which can be taken into the King's hands.'

We therefore have thought fit to exemplify the record and process of said outlawry under our Great seal which is used in the chief Place (*in capitali placea*) of our said land.

In witness whereof we have had these our letters patent made.

Teste Christopher Barnewell at Drogheda on the 8th day of July in the 22nd year of our reign."

February 3, 1440.

July 8, 1444.

NOTE.—This and a preceding Deed (101) throw light on the obscure question of the succession in the Earldom of Kildare in the years 1432–1456. According to Cokayne's *Complete Peerage* (1929), Gerald, 5th Earl, who died in 1432, seems to have been succeeded by his brother John, but as the latter was already old he was probably dead by 1434. His son John 'Cam' (crooked) was apparently not recognised by the government and the succession is obscure till 1456 with the accession of Thomas, son of John 'Cam,' in 1456 as 7th Earl.

The Thomas fitzMorice of the above Deed seems to be this

Thomas son of John ' Cam.' Kildroght was a FitzGerald manor. Thomas later succeeded to the Earldom in 1456 and is reckoned the 7th Earl. According to Cokayne he is called ' esquire ' in a deed dated April 13, 1453.

Fitz Morice had become the patronymic of the family from Maurice, 4th Earl, who died in 1390. Thomas died in 1477 and was succeeded by Gerald ' the Great Earl.'

There was now at this time a standing feud between the Geraldines and the Butlers over the manors of Rathmore and Maynooth, hence the preservation of this Deed at Kilkenny.

Who the " Irish enemies " confederated with Thomas fitz Maurice were is not clear. " O'Bren," " O'Brin," " O'Brynne," etc., are easy to confuse as Anglo-Norman forms of " O'Brien " and " O'Byrne." As to the O'Briens of Thomond, there was a Brian-an-Chobhlaigh, son of Donough, son of Mahon, who died in 1460. As regards the O'Byrnes of Wicklow, Mr. Liam Price informs me that the genealogies in *Leabhar Branach* and Mac Firbis give " Bran " as the name of the father of Tadhg Mór na hIubhraighe (Newrath) : the latter flourished towards the end of the 15th century. The Bran in the deed may then be the father of this Tadhg.

136.

Grant by John son of William More Walsh to James, Earl of Ormond, of one messuage, sixty acres of land, ten of wood and sixty of pasture in Hopekynestoun near Meydlagh, to have and to hold to him and his heirs for ever.

February 18, 1440. Seal.

137.

Two Deeds.

1) Thomas son of Richard Cantewell grants to James, Earl of Ormond, all his messuages, lands, tenements, etc., in Tathmotheran in the manor of Knocktopher and in Kilcolme or elsewhere in the barony of Knocktopher, to him and his heirs for ever.

August 12, 1440.

2) Deed of attorney by Thomas son of Richard Cantewell appointing Thomas Archer, chaplain, and Richard Eylward, chaplain, his attorneys for delivering and placing James, Earl of Ormond, in full seisin of all his messuages, lands, tenements, rents and services in Tathmotheran in the manor of Knocktopher and in Kilcolm or elsewhere in the barony of Knocktopher, and in all his messuages, lands, tenements, rents and services in the barony of Overk.

August 12, 1440.

138.

Rentals of Dunfert, November 1440–November 1443.

1) Rental of Dunfert for Michaelmas in the 19th year of Henry VI.

Robert Duree for 6½ acres for the same term .	2*s.* 2*d.*
Thomas Nichollesson for 6 acres 1 stang .	2*s.* 1*d.*
Richard Tryvers and Walter his son . .	—
Umfrey Ragyt for 8 acres for same term .	2*s.* 8*d.*
Nicholas Stevyn for	—
Robert Blake for 2 acres for same term . .	8*d.*

The names follow below but the places and rents have not been entered.

Thomas Stakboll, Peter Nongle, Thomas Denne, Shane O'Clery, Thomas Heyne, John Jakeyne, Richard Scadane, Robert Garvey, William Eyre, John White, Michael Dudman, John Dudman, Nicholas Dudman, Averdyn O'Cally, John Boyse, John Redmund and Thomas Hebuk, Peter Sparke (several names obliterated).

Philpote Galde for 4 acres . . .	16*d.*
Thomas White for 24 acres . . .	8*s.*
Odo O'Coigne for 1 acre . . .	4*d.*
Margaret Mayow for her cottage . .	6*d.*
Juliana Dudman ,, ,, ,, . .	6*d.*
Thomas White for the fishery . . .	40*d.*
The commons of the town for their grazing (*erbagio*)	6*s.* 8*d.*
The dove-cot there for the same term . .	—

[1440].

Dorso. (Writing much obliterated). Manorial cases.

A swarm of bees in the keeping of Walter Tryvers. Felicia

Hethen is dead, whose heriot as is said is in the possession of John Redmund.

John Clery sold meat without a price many times. His wife sold ale without a price many times.

John Erchedekyn *non observavit vigiliam.*

2) Rental of Dunfert, in the 20th year of Henry VI.

Robert Duree for 5 acres for said term	20*d.*
Thomas son of Nicholas White for 4½ acres	18*d.*
Walter Tryvers for 16 acres for said term	5*s.* 4*d.*
Umfrey Raghit for 7½ acres	2*s.* 6*d.*
Nicholas Stevyn for 10 acres	3*s.* 4*d.*
William Blake for 3 acres	13*d.*
Thomas Stakeboll for 6 acres	2*s.*
Peter Nangill for 7 acres	1*s.* 4*d.*
Thomas Venne for 9 acres	3*s.*
Thomas O'Clery for 14 acres	4*s.* 8*d.*
Thomas Heyne for 7 acres	2*s.* 6*d.*
William Brene for 4 acres	18*d.*
Nicholas Petite for 1 acre	4*d.*
Thomas Dudman for 4 acres 1 stang	13*d.*
John Jakyne for 6 acres	2*s.*
Richard Scadane for 10 acres	2*s.* 8*d.*
William Eyre for 9 acres	3*s.*
John White for 8 acres	2*s.* 8*d.*
Nicholas Dudman for 9 acres	3*s.*
Averyne O'Cally for 4 acres	18*d.*
John Boyse for 7 acres	2*s.* 4*d.*
John Redmond for 9 acres	3*s.*
Thomas Hebuk for 9 acres	3*s.*
John Coddy for 4 acres	16*d.*
Anastasia Broun	—
John Erchedekyn for 7 acres	2*s.* 4*d.*
Thomas Duff Cally for 9 acres	3*s.* 10*d.*
John Fleming for 16 acres	5*s.* 4*d.*
Thomas Dudman for 6 acres	2*s.*
Thomas Duree for 6 acres 1 stang	2*s.* 5*d.*

[1441].

3) Contains practically the same names. [Michaelmas, 1441].
4) Contains practically the same names. [Michaelmas, 1442].
5) Contains practically the same names. Total 6*l.* 4*s.* 7*d.* [April, 1443].
6) Contains practically the same names. Total 6*l.* 10*s.* 3*d.* [Michaelmas 1443].

The dorsos contain brief entries of nine law-suits in the lord's court at Dunfert of the usual order, viz. trespass, bloodshed, not drawing the lord's corn, etc.

[These rentals contain matter of interest as showing the strength of the Anglo-Norman element in the towns and manors of the Earls of Ormond and the mixture with native tenants; also the growing adoption of Gaelic christian names, epithets, and surnames as the Anglo-Normans became absorbed; as also the systems of land-tenure, the rent per acre, etc. In the above cases the acres are small and seem to be taken for grazing purposes, though the word "cultura" indicates arable land. These rentals however are of a tedious and similar nature, and I propose in future to abbreviate them except where they are of unusual interest. For a full and clear rental of the Earl of Ormond's manors of Knocktopher, Gowran, etc., see Deed 119.]

139.

Indenture between James, Earl of Ormond, and Edmund son of Richard Botyller, witnesses that the Earl has given and granted to Edmund the castle and manor of Powlystown with the wood and all other demesnes. To hold to him and the issue male of his body, both bastard as legitimate, for the term of his life, rendering yearly one rose at the Nativity, of St. John the Baptist, and allowing 'husbot, fyrebut, heybut' in the said wood to the Earl and his heirs and tenants of Balygaveran by view and delivery of the serjeant of the wood; which serjeant the Earl and his heirs shall appoint. After Edmund's death one of his male issue whom the Earl or his heirs shall wish to choose shall have the said castle and manor for the term of his life by the services and form aforesaid; and so with the remaining issue. And if Edmund die without issue male, the said manor and

castle shall remain to the Earl and his heirs. And Edmund grants that he and his issue for the future ought to be ruled and governed by discretion and counsel of the Earl and his heirs, and all the tenants of Edmund and his issue for the future shall be intendent, obedient and respondent to the Earl and his heirs for the manor, castle and lordship aforesaid as is befitting. Also they will support and contribute freely to all burdens laid thereon by the Earl and his heirs—cessings of soldiers (*turbariorum*) and subsidies in county Kilkenny in future to be made, excepted. And if Edmund or his issue, men or tenants, shall become rebellious or hostile against the Earl or his heirs or these agreements in whole or part, the Earl or his heirs shall freely re-enter upon the said castle and manor. Judgment between them for the observance of these agreements to be by the Archbishop of Cashel or the Bishop of Ossory.

November 1, 1440.

140.

Indenture in English between James le Botiller, son of the Earl of Ormond, and Thomas Prendergast for military service in France.

" This indentur made betwene Sir James of Ormond, knyght, son and heir to the Erle of Ormond, on the one partie and Thomas Prendergast, gentilman, on the other partie witnesseth that the seide Thomas is belaste and withholden towardes the seide Sir James for an hold yere to do him service of werre yn the parties of Fraunce and Normandye yn all places where as hit shall like the seide Sir James to ordeyne and commaunde him as a man of armes with ii archers yn his compayne all on horsebak and well chosen men and likely persones well and sufficiently armed horsed and arraied every man after his degre, that is to sey that the seide Thomas have harneys complete with basnet or salade with visor, spere, axe, swerd and dagger and all the seide archers especially to have good jakes of defense, salades, swerdes and sheves of XL arrowes at the lest. And the seide Thomas shall take wages of the seide Sir James in the manere folowyng, that is to sey for hym self xii*d.* sterling the day with the rewarde accustomed and for every of the seide archers vi*d.* sterling the day, of the which wages and reward he shall be payed before the hand for a quarter

of a yere be wey of prest and for the seconde quarter the day that he shall make first his mustres of him self and his seide archers uppon the see syde or where as the seide Sir James wole ordeyne him to do and for the other half yere he shall be content and paid for himself and his seide archers yn Fraunce and yn Normandye after the wages of Fraunce and after their moustres and revenes yn monnoye of Fraunce or uppon appatyce of the contrees desobeissant or yn provisions yn such wyse as by rayson he ought to hold him content. The yere of his seide service and withholdyng bygynnyng the seide day of his first moustres the which moustres shall be made at the day and place therfore to be apoynted by the hiegh and myghty prince the Duk of York. And the seide Thomas shall take for himself and his seide archers hukes of my seide lord the Duks livere payng for theim like as other souldyours of their degrees do. And the seide Thomas byndeth him by thise present lettres to make moustres of him and his seide archers at all tymes whenne he shall be commaunded and requyred by the seide Sir James duryng the seide terme and byfore any persone or persones that hym shall like to commytte therunto. And the seide Sir James shall have of the seide Thomas the thridde part of the thriddes (?) of the seid archers during the seide tyme and the seide Thomas / as well the thridde part of the wynnyngs of werre as all the prisonours of werre if any be taken by him or by any of his seide archers duryng the seid tyme, except kynges, kynges sones prynces and other capitanis of Kynges blode or other havyng the power, the which all shall be reservyd prisouners to the seide Sir James for the which he shall be resounably content him or them that shall fortune to take any such prisonours, and except also rebelles and traitours which here before have ben the Kyngs liege men and dwelled yn the Kynges obeyssance, the which shall semblably be reserved to my seide lord the Duk and to the seide Sir James for to have the punycioun that they have deserved. And the seide Thomas byndeth hym by thise indenture to serve duely and truly with his seide archers the seide Sir James duryng all the seide tyme and to make with him watche and warde yn all places at all tyme that he shall be resounably requyryd and to kepe theim yn justice and from robbyng and pillyng of the cuntreis of the Kyngs obeysance and of his trewe peple and subgetts ther withynne and for to obeye at all tyme to all such cries as shall be published and

proclaimed by the ordenaunce and commaundement of my seide lord ye Duk. And yn cas the seide Thomas on his partie well and truly kepe observe and fulfille all manere of covenaunts and condicions aforeseide yn the forme aboveseide the seide Sir James graunteth by this indenture that an obligacioun of xl*l.* sterling yn the which the seide Thomas and Philipp Radford, knyght, and Oweyn Tuder, Squyer, ben bound to the seide Sir James be voyde and of no strength and elles the seide obligacioun abide yn his full force and vertue.

Yn wytnes where of the parties afore seide chaungeably to thise indentures have sette here seals the viiith day of December in the xixth yere of the reigne of our soverain lord Kyng Henry the sixt."

December 8, 1440. Seal (apparently Prendergast).

[The ' thorn ' letter is general in this Deed for such words as ' the,' ' that,' but occasionally the modern form is used. I therefore have modernised it all through. The punctuation is mine.]

141.

Two Deeds.

1) Christopher son of Walter Coterell gives and grants to Thomas Archer and Richard Eilward, chaplains, a messuage in Kells in Ossory called Coterelleshall, etc., (as in Deed following). January 2, 1441. Seal.

2) Thomas Archer, chaplain, and Richard Eilward, chaplain, give and grant to Christopher son of Walter Coterell a messuage in Kells in Ossory called Coterelleshalle ; a water mill near Donymghan ; all messuages, lands and tenements which they had of the gift and enfeoffment of said Christopher in the town of Kells and in Coterellesgrove, Godynesrath and in Coterellesrath in the barony of Kells ; all messuages and lands which they had of the gift of the same Christopher in the townland Coterellesboly near the land of the Cross (*Crocie*) of Insnak and in Archereston in the cantred of Shilleloghir ; and all messuages, lands, etc., which they had of the gift of the said Christopher within the liberty of the town of Kilkenny or elsewhere within the county of Kilkenny.

To have and to hold to Christopher for the term of his life. After his death remainder to the heirs male of the same Christopher lawfully begotten. If these die without heirs male of their bodies lawfully begotten then remainder to James, Earl of Ormond and his heirs and assigns for ever.

January 20, 1441. Two seals perfect.

142.

Deed of attorney by William Nele and David Lang of Ross appointing Andrew Furlang their bailiff to place James, Earl of Ormond, knight, in full and perpetual seisin of one messuage in the town of Ross which lies from " Seynte marystrete," on the south part to the orchard of Fulc Furlang on the north in length, and in breadth between the messuage of James Cornewalsch on the west and that of William Butler on the east.

January 9, 1441.

143.

William Northyn, carpenter, gives and grants to James, Earl of Ormond, an acre and a half of land lying in Gybleteslond in the barony of (? Overk : *faint*), lying between the land formerly Walter Cantewell's and that formerly Henry Roche's.

February 3, 1441. Seal perfect.

144.

Judgment by Thomas (Barry), Bishop of Ossory, (1428–1459), in his court on the legitimacy of Edmund le Freyn.

" Thomas, by divine permission and that of the Apostolic see, greeting, etc. There lately appeared before us in judgment in our cathedral church of St. Canice, Kilkenny, Edmund le Freyn, lawful son of James le Freyn of happy memory and Elisia Power, who laid a complaint that certain sons of ambition and iniquity, not having God before their eyes, declare that same Edmund was born illegitimate and in concubinage, etc."

Witnesses are called, sworn and interrogated to testify to Edmund's legitimacy. First witness is John Ragyt, chaplain, aged fifty years and more. Who says that he knew said James and Elisia well for twenty years and that they dwelt at Clone in

county Kilkenny near Rathbeagh ; that he knew that they dwelt together in matrimony, and that he solemnised the marriage between them in the parish church of the B.V.M. at Kilkenny at the great altar there by banns proclaimed in the same church and in the parish churches of Aghour and Rathbeagh for three solemn days. Asked as to the time of the marriage he says it was, as he believes, thirty years ago and that it was before the birth of said Edmund. Asked if they were divorced after this for any reason he says no and that they remained together to the death of Elisia. Asked as to what witnesses were present at the marriage he says Robert Talbot, Letise Braynok, his wife, Robert Fowly, Isabella fitzJohn, his wife, John Brown, butcher, Marion Power, his wife, Edmunda Grace, Elena Freyn, Roricus Carragh O'Morche and Magina Power with many others. Also that he is not moved by bribe, hate, love or fear and not corrupted or suborned. Roricus Carragh O'Morche, second witness, of free condition aged fifty years, is sworn, etc. Gives similar testimony. After whose evidence the Bishop declares Edmund born in lawful marriage. Given in the year of the Lord 1441, on the 19th day of August ; being then present Thomas Bellian, dean of the cathedral church of Kilkenny, Brother John Clynton, regular canon, procurator of the Abbot and convent of St. Augustine, Bristol,in Ireland, and Ancellin Grace, William Rowe, Patrick Pons, John Morfe, laymen of said diocese, witnesses formally called to the premisses.

Notarial sign and declaration follows, of Thomas Loundres, cleric, of Limerick diocese, public notary, drawn up at the request of above Bishop and said Edmund.

August 19, 1441.

145.

John Raghit, chaplain, quit-claims to John son and heir of Henry Arderne, burgess of Kilkenny, all his right and claim in all messuages, lands, rents and services which he has of the gift and enfeoffment of said John son of Henry Arderne in the borough of Kilkenny within and without.

Given at Kilkenny on the 10th day of September, in the 20th year of Henry VI.

September 10, 1441. Seal perfect.

146.

Royal service of Kyldenall.

Royal service when scutage runs, from Kilbenys, Nenane, Grallagh, Ballyclaghny, (two places illegible), in all	27*s.*	8*d.*

Chief rent from Kyldenall, etc.

Thylaghcoane yearly	22*s.*	
The burgh of Kyldenall in Founteston . .		26½*d.*
Gerot Rethonagh near Notte for each term .		6½*d.*

Names of burgesses of Kyldenall.

Rent of the burgh	20*s.*	
Nicholas White	—	
Peter son of James le Botiller yearly . .	4*s.*	6*d.*
John son of Simon Cantewell ,, . .	6*s.*	
David Bruis ,, . .	6*s.*	
Walter son of Robuck Cantewell ,, and Thomas his son	—	
Sir Richard Mauncell, chaplain, ,, . .		18*d.*
Gerot Rethonagh near Nothe ,, . .		15*d.*

The lord's court at Kyldenall held before Olyfer Burdon, seneschal, on Tuesday next after the feast of Martinmas in the 20th year of Henry VI [November 14, 1441].

Dermot Mor O'Terni against Thayg O'Dollaghante of a plea of trespass. Pledges are Dermot and Thayg O'Donlan. A jury. They say that the defendants are guilty. Damages 9*s.* 6*d.* Therefore in mercy.

Dermot O'Larryse against William O'Bohan of a plea of debt. Pledge Dermot O'Terni. In mercy for a false oath.

Gylleboy O'Sithe presented for effusion of blood. Found guilty.

November, 1441.

147.

Rental of Rosbercon, etc.

Oborgoyng.

Rents from the burgh of Rosborgoyn . .	24*s.*	4*d.*
From the ferry (*veriagio*) there for same term .	4*s.*	4*d.*

Rents of Whitestoun ditto	3*s.* 4*d.*
Rents of the demesne there ditto	4*d.*
Chief rents of Baliocyn	20*d.*
The cultivated land (*cultura*) of Horisle, ditto	20*d.*
The cultivated land of Clonekechyn ditto	(*blank*).
Robert Longe for a swarm of bees sold to him	12*d.*
Summa	35*s.* 8*d.*

The Barony of Balligaveran.

Richard fitzGillegall for 4 acres	16*d.*
Hilary Birnan for 2 acres	8*d.*
John White for 1 acre	4*d.*
Staunesland for 1 acre	4*d.*
Brikenesclaragh, chief rent	2*s.* 5½*d.*
Chief rent of Racanyll at lease	20*d.*
,, ,, ,, Fynell at lease	6*d.*
,, ,, ,, Symonestoun at lease	6*d.*
Denesland in Tredynestoun at lease	13*s.* 4*d.*
David Carragh for 4½ acres	18*d.*
William Martyn for his messuage	(*blank*).
Morgh O'Breyn for his messuage and garden	3*d.*
Gilleglasse Taillour for his messuage and garden	8*d.*
Gillelevyn Teisler for his messuage and garden	8*d.*
The same for a garden	6*d.*
Summa	24*s.* 5½*d.*

Nicholas Porcell for farm of the mill of Balegaverane	20*s.*
Shane More for his farm at same term	20*s.*
Summa	40*s.*

Robert King of Rosbergon for a meadow	12*d.*

Payments of Nicholas Cloill, reeve of Ballioghan, in Easter term in the 21st year of Henry VI	6*l.* 13*s.* 4*d.*
From the same by the hands of Walter Gloern received in money	54*s.* 6*d.*
(Other sums received from the same reeve)	70*s.* 6*d.*
And there remains in arrears with 20*d.* of the seneschal 8*s.* 4*d.* This is assigned and paid to William White	

Payments of the fee by Nicholas Porcell
In rents of the mill . . . . 20*d.* (?)
[Other payments follow].
Paid . . 3*l.* 5*s.*
In arrears . 20*d.*

Carryk.

David O'Hulane, rector of Carrick, for Easter term in the 21st year of Henry VI, paid to William Shirlok, seneschal . . . 11*s.* 4*d.*
The same by hands of William Patrike . . 2*s.* 7*d.*
,, ,, ,, ,, ,, Donagh O'Neyll . . 5*s.* 10½*d.*
,, ,, ,, ,, ,, Denys Noragh . . 8*s.*
,, ,, from Robert Walsh allowed to him and not paid to the seneschal . . . 12*s.* 6*d.*

[Other payments follow].

Summa solucionis 49*s.* 11d.

Issues of the Court of Carrick in the time of David O'Hulane, reeve there . . . 4*s.*

[Several lines faded].

Grenagh, in the 21st year of Henry VI.

The tenure of Gyllekyn at Illud . . 6*s.* 8*d.*
,, ,, ,, Golerkagh there . . . 4*s.*
,, ,, ,, Henry Sweteman there . . 3*s.*
,, ,, ,, Robert Boy there . . 3*s.*
,, ,, ,, Gillelaghyn . . . 3*s.* 4*d.*
,, ,, ,, John White at Newtown . . 2*s.* 8*d.*
,, ,, ,, Shane Roth there . . 4*s.*
,, tenure of William More Walsh . . 10*s.*
,, ,, ,, Shane Roth at Ballelogh . . 2*s.* 8*d.*
Makyne Leche for farm of Polrathane, Donsenan 46*s.* 8*d.*
William Philpotesson for the farm of Clogagh . 8*s.*
Summa . 7*l.*

Overk.

Chief rent of Portenehull	3*s.* 5*d.*
,, ,, ,, Donngawill	3*s.* 9*d.*
,, ,, ,, Ineytescroft	12*d.*
,, ,, ,, 18 acres of Offad	18*d.*

Other chief rents are from Ballycore, Kilgrane, Rathforby, Typermore, Kylcrone, Portnescoill, Polrothane, Fydan, Flemingestoun, Cloynill.

Summa . 28*s.* 11*d.*

Lang of Dunsenane	3*s.*
Henry Fyn there	5*s.* 1*d.*
William Richol	3*s.*
Janyng White	20*d.*

[Other names faded].

Summa . 40*s.*

Easter in the 21st year of Henry VI

Carrickmagriffin of the rent of the burgage there	(? 49*s.* 3*d.*)
For fines there	6*s.* 6*d.*
For furnage (*furnagio*) there	3*s.*
Robert Walsh for farm of mills there	15*d.*
Half the chief rent of Moynedoyffe	2*d.*
The chief rent of Mevale at Bellaghdyr	2*s.* 6*d.*

[Other names faded].

Summa . 5*l.* 15*s.* 6*d.*

[Place faded].

William Myneter for 9 acres	2*s.* 3*d.*
Thomas O'Gormane for 4 ,,	12*d.*
Richard O'Mergane for 4 ,,	(*blank*)
David O'Curran for 2 acres 3 stangs	9*d.*
Henry Nasse for 3 acres	9*d.*
Richard fitzOliver for 2 acres	6*d.*
Janyne O'Cowane, smith, for 7 acres	21*d.*
William Boy for 1 acre	3½*d.*

[Some names faded].

Summa . 19*s.* 1½*d.*

William White against Thomas O'Kenay on a plea of trespass by pledge of William fitz Oliver and Nicholas fitzOliver.

Thomas O'Gormane is elected serjeant of Melagh from the feast of Easter in the 21st year of Henry VI to Michaelmas in the 22nd year of the same.

Odaa.

Chief rent of Rapatrik	6*s.* 2*d.*
,, ,, ,, 'lez Gurtynys' . . .	14*d.*
,, ,, ,, 'lez Breghane' . . .	12*d.*
,, ,, ,, Cowillesfeagh . . .	4*s.*
,, ,, ,, 1 acre cultivated at 'le Crewagh' .	12*d.*
The ferry (*veriagio*) of Drumdoweny for same term	6*d.*
Summa .	19*s.* 10*d.*

[1442–1443].

148.

Thomas son of John Seis fitz Reis (? : *torn*) gives and grants to John son of David "serviens" *alias* fitzRemond all messuages, lands and tenements, woods and pastures which grantor has in Corballye and in Corballye Nywan (? Lywan), Rawkyn and in Corballye Slewy and in Ballye Slewy, and in Ballye Olynsoke. and in twenty acres of land called Mortoreslond lying in 'le Trympelagh" and two acres in Cnokkanmore there in the parish of "Fowrom" (*sic*) in the barony of Overk.

January 3, 1442.

149.

Three Deeds.

1) Grant by Catherine fitzJohn to James, Earl of Ormond, of all messuages, lands, and tenements which she has in 'le Crevagh' in Odaa in county Kilkenny.

Given on the 12th day of January in the 20th year of Henry VI.

January 12, 1442.

2) Deed of attorney by Catherine fitz John appointing Oliver Roche her attorney to place James, Earl of Ormond, in seisin as above.

Same date. Seal.

3) Deed of attorney by James, Earl of Ormond, appointing Robert Barre his bailiff for receiving full seisin of all messuages, etc., as above.

Same date. Seal perfect.

150.

Edward Clerk, son and heir of Simon son of Edward, gives and grants to James, Earl of Ormond, his manor of Logh Glassy which is called Symkymeston in county Tipperary with two carucates of land there ; together with all rents, suits and services of Edmund Mauclerk who holds of his (grantor's) manor of Symkyneston by rent and service of 10*s*. and suit of court every fortnight for the lands and tenements of Drissok, and for lands and tenements of Gormolor and Gorteraghtyn two shillings two pence silver to be paid yearly. To have and to hold to the Earl and his heirs for ever.

And because his seal is to many unknown the common seal of the town of Kilkenny is at his request affixed.

Witnesses : Robert Folynge, Walter Shirlok, Thomas Monnyster, John Marchall, John Gnaresburgh and others.

May 16, 1442. Two seals : one of town of Kilkenny.

151.

Court of Dunfert held before Walter Sherlok, seneschal of the lands of James, Earl of Ormond, on Thursday next after Michaelmas in the 21st year of Henry VI.

A skin a foot wide and four inches long.

The usual cases of suits of trespass, bloodshed, etc.

Names are : Nicholas Erchedekyn, Robert Hay, Henry Barry, Thomas White, Nicholas Stevyn, John Dudman, Thomas Stakboll, Peter Nongill, Thomas Duff Kelly, Odo O'Coyng, Shane O'Clery, William Thorpe, Maurice O'Hunchie, William Blake, William Heyr, John Boys.

October 4, 1442.

152.

Henry son of Tancard Walsch, burgess of Clonmel, gives and grants to John son of Philip White and Katherine his wife three

messuages in the suburb of the same town, to have and to hold to them and their heirs for ever.

November 19, 1442. Seal.

153.

Redmund McElyot, chaplain, admits himself bound to Thomas Habay, cleric, in 24*s.* 4*d.* silver to be paid to said Thomas his heirs and assigns.

Given on Saturday next after the feast of our Lord's Nativity in the 21st year of Henry VI.

December 29, 1442.

154.

Indenture made on Thursday next before the Epiphany in the 21st year of Henry VI, between James, Earl of Ormond, and Richard son of Patrick Tywe, witnesses that the Earl has granted and to farm let to Richard the townland of Kilcollum with all lands and tenements, woods and pastures, lying in the tenement of Kilcollum, Gibleteslond and Thaghmeran both in the barony of Knocktopher as in that of Cronoghaleghan, together with half the meadow called ' Kilcollumesmede ' near the said townland. To have and to hold for the term of twenty years, rendering therefor five marks yearly. He and his tenants to be free of all ' conyes,' cessings (*sessionibus*) of horse and foot and [giving] of hostages.

January 10, 1443.

155.

Two Deeds.

1) Nicholas son of John Sweteman gives and grants to Thomas Barre, chaplain, vicar of Thomastown, a messuage in the borough of Thomastown, to have and to hold to him and his heirs for ever.

Given on the 3rd day of February in the 21st year of Henry VI.

February 3, 1443. Seal complete.

2) Thomas Barre, chaplain, gives and grants to James, Earl of Ormond, a messuage in Thomastown, in length from the common street (*communi vico*) to the land of Margaret Barre and in width

between the said Margaret's messuage and that of Nicholas Swetman, to have and to hold to him and his heirs for ever.

Witnesses: Thomas Denne, Robert Arlon, Richard Ercedeken, Laurence Arlon.

Given on the 12th day of March in the 21st year of Henry VI.

March 12, 1443. Seal.

156.

John Taaff, chaplain, rector of Maundewilleston, and Richard Crony, chaplain, vicar of Stabanan, give and grant to Thomas Wodford son of John Wodford of Harryston all messuages, lands tenements, rents, services, dovecots, etc., which they have in Heghlem, Kyllanny, Filpoeston near Dundalk and in the lordship of Millokeston in county Louth of the gift and enfeoffment of said John Wodford and Isabella Mann his wife. To have and to hold to them and the heirs of their bodies lawfully begotten. If Thomas die without heir male so begotten, remainder to John Wodford son of Richard Wodford, son and heir of above John and Isabella. Similarly if he die without heir male so begotten, remainder to Joan Wodford, daughter of said Richard. Similarly if she die without heir male so begotten, remainder to the right heirs of John Wodford for ever.

March 9, 1443. One seal.

157.

Payments made to the Earl of Ormond's servants at Easter term in the 21st year of Henry VI [April, 1443].

The payments include.

To the constable of Gowran for his fee . .	3*l.* 6*s.* 8*d.*
,, Shane Mor Elliot for the sustenance of Evertagh "pauperis"	6*s.* 8*d.*
,, Richard Prout and Catherine his wife .	13*s.* 4*d.*
,, same for rents of burgagery there . .	6*d.*
,, Theobald Coke for his fee . . .	20*s.*
,, James Whitewell ,, ,, ,, . . .	20*s.*
,, Thomas Howell ,, ,, ,, . . .	20*s.*
,, Catherine Freign of the lord's gift . .	4*s.* 6*d.*

For fee of the serjeant there			3*s.* 4*d.*
,, the dress (*in vesturam*) of same serjeant			9*s.* 2*d.*
,, cost of the workmen of the castle there received by same serjeant			20*s.* 8*d.*
To the Abbot of Duyske for chief rent of Kilcolm			20*d.*
For the fee of the serjeant of Grennagh			3*s.* 4*d.*
,, ,, ,, ,, Walter Shirlok		4*l.*	
,, ,, ,, ,, Walter Gloern			40*s.*
,, ,, ,, ,, Master John Coke			40*s.*
,, ,, ,, ,, John Goigh			20*s.*
,, ,, ,, ,, the serjeant of Dunfert			3*s.* 4*d.*
To Thomas White, the lord's bailiff			8*s.*
,, Margaret Roche			10*s.*
,, the chaplain of Kilkenny castle			20*s.*
,, Rose Marshall by guardian of John Butler			20*s.*
,, John Knaresburgh for the lord's debt		6*l.*	13*s.* 4*d.*
,, Tibina Walsch and Elias her son			13*s.* 4*d.*
Of rent of the mill of Carrik in hands of son of Richard Walsch			15*s.*
For fee of the serjeant of 'Hill of Callan'			3*s.* 4*d.*
To the friars of Rosbargon of the lord's gift			10*d.*
,, the abbess of Kiltillughyn			6*d.*
,, Hugh Griffyn, chaplain, by lord's warrant			8*s.*
,, Makyne for Edmund fitzThomas Butler			6*s.* 8*d.*
,, Simon Grant of rents of Clogagh by the lord's command			8*s.*
For the dress (*in vesturam*) of Avertagh, paid by Shane Mor			20*d.*
Of rents of Mellagh for rebuilding of the new hall there			19*s.* 1½*d.*
To Denis Noragh for a garden occupied at the Quarell of Carrik			12*d.*
To Alice Maisoun of Carrik by hands of Robert Walsch and Denys Noragh			13*s.* 4*d.*
To the carpenter of Mellagh for building a new hall			2*s.* 8*d.*
Twelve pairs of gloves for the masons of Carrik			16*d.*
To same masons by hands of David O'Hulan, reeve,			7*s.*
,, ,, ,, ,, ,, ,, same David on another occasion			13*s.* 4*d.*

To Rose Marshall by pledge of Edmund son of Walter Bourke . . . . . 23*s.* 9*d.*
For expenses of the seneschal and his groom according to distraint of the lord . . 42*s.* 11*d.*
To Nicholas Walsch for messuages made at Knocktopher . . . . . 4*s.*

April, 1443.

158.

Inspeximus by the Mayor and constables of the Staple of Waterford of a charter of enfeoffment of James, formerly Earl of Ormond, made under his seal in these words.

" This indenture made between James, Earl of Ormond, on one part and Gerald Forster and Margaret his wife on the other witnesses that the Earl has given and granted to Gerald and Margaret his mill of Whiteston together with one acre of land stretching from that mill to the stream running between the said mill and Rosbargon, with a free water-course and all appurtenances. To have and to hold to them and the heirs male of their bodies lawfully begotten, rendering yearly six shillings and eight pence."

The above mayor and constables exemplify the charter and set thereto the seal of the staple of the city of Waterford, on the 15th day of November in the 31st year of Henry VIII.

October 10, 1443. Seal worn away.

November 15, 1539.

159.

Documents relating to the Earl of Ormond's government of Ireland, 1441–1444.

Inspeximus by Henry VI of several enrolments in the Chancery of Ireland as follows.

" Mem. that on the 30th day of March in the (*torn away: ? 22nd*) year of Henry VI in the King's council within the house of the Friars Minor of Drogheda | a discussion having been held between James le Botiller, Earl of Ormond, Lieutenant of Ireland, Richard, archbishop of Dublin, Richard Wogan, chaplain, the King's Chancellor of Ireland, Christopher Bernewall (*torn away*),

justice for holding the King's Pleas in the said land, Robert Dowedall, chief justice of the Common Bench in Ireland, John Cornewalsh, chief baron of the Exchequer, William Chever, second justice of the King's Pleas, Peter Clynton, one of the barons of the Exchequer, E. Somerton, the King's serjeant-at-law, and Richard fitzEustace, knight, counsellors of the lord King in Ireland, concerning divers matters touching the state and weal of the King in the said land | as to which the lord-lieutenant declared that for the advantage and benefit of the said land he had directed letters under privy seal to Giles Thorndon, then Treasurer of Ireland, and to others of the King's council in Ireland to be with him at Drogheda on Friday after the feast of the Annunciation of the B.V.M. | yet notwithstanding that the letter of privy seal was delivered to the said Treasurer and received by him, after the letter so received the Treasurer on the tenth hour after the Nones on the day of the Annunciation of the B.V.M. stole away in the night secretly and like a thief out of Dublin castle towards Howth and there took ship for abroad to enter [England] without any mandate of the King or of the royal council of England directed to him, or that he absented himself for any good of the lord King in Ireland, nor did he declare any such cause to the Lord-Lieutenant or his Council. But because tide and wind were against them the sailors were compelled to return to Ireland on the morrow of the Annunciation, and said Treasurer had to land at Howth as the Lieutenant learned by evidence of bailiffs, wardens, sailors and others who dwell on that coast, duly examined before him. After which declaration Sir Christopher Bernewell showed the Lieutenant how that the Treasurer before his departure from Ireland by letters patent of the King of the said land (i.e. made in Ireland) ordained him deputy in the office of Treasurer in his absence. Asked by the Lieutenant if he had these letters, he said no. Wherefore | because by due examination both of the Chancellor as of the deputy Clerk and Keeper of the Rolls of the Chancery of Ireland it was discovered that the said pretended deputyship was made to the above Christopher on the 23rd day of March in the above-said year, which pretended deputyship was before the Treasurer's first crossing over the sea as narrated above | the said Chancellor being questioned whether he knew of any later deputy-ship made by the Treasurer to Sir Christopher or to any else before his later crossing to England,

viz. was there after the feast of the Annunciation any such deputy-ship sealed under the King's seal, said no.

Wherefore the Lieutenant | reciting divers precedents in such cases made by the Lieutenant, Justices and other officers of the King, and moved, as he declared, by reason and the laws and ancient customs of the said land | found the office of Treasurer of Ireland vacant and unoccupied, and declared it so before the said Royal council ; all of which he ordered to be enacted and enrolled and to remain on record in the rolls of Chancery."

Inspeximus of a second record enrolled in the Chancery of Ireland to this effect.

" Mem. that in the abovesaid day, place and time the Lieutenant before the Royal council declared how that by trustworthy evidence he had learned that the said Giles, Treasurer, and Constable of Dublin Castle, had consorted with one Thomas fitz Morice, a notorious traitor who, with a multitude of Irish enemies and English rebels, had broken the King's prison and gaol in which lay Brother Thomas fitz Gerot, styling himself Prior of the Hospital of St. John of Jerusalem in Ireland | whom the Lieutenant had put there on suspicion of felony and treason, and afterwards had been given special mandate by the King under his privy seal of England to keep him firmly detained and guarded until he should have other command from him | and brought out the said pretended Prior and set him at large. He (Giles), knowing Thomas to have committed felony and treason, had in Dublin castle, both in the hall at table as in the room and garden there, and also in the church of St. Mary " de le Dam " near the castle, had secret colloquies with him and received him now publicly now secretly. Which Thomas incontinently afterwards went off to the said Irish enemies and traitorously adhered to them and still adheres. Also Giles had absented himself out of the land of Ireland before this on divers occasions contrary to the statutes made thereon. Wherefore the Lieutenant, moved by these and other charges made against said Giles, as he asserted, took and seized into the King's hand all offices and fees belonging to him ; all which he ordered to be enacted and enrolled in Chancery and to remain on record."

Inspeximus of a third record of the Chancery of Ireland, to this effect.

" Mem. that in the said year, day and place, viz. the 30th of March, the same Lieutenant declared to the King's counsellors of Ireland, then assembled, that he had for divers reasons decreed the offices and fees of said Giles to be vacant and seized unto the King's hand, and because it was not to the advantage of the King and public weal that they should remain vacant and because Easter was approaching, in which the King's revenues in Ireland by various means were likely to accrue, and be received into the Treasury if a good, diligent, faithful and industrious man were appointed to the said office. And because it is the custom of the land of Ireland ever since the conquest of the same that whenever it happens that the office of Chancellor, Treasurer, or other office belonging to the King has in any way become vacant, then the Lieutenant or Justice for the time being with the King's Council of the same land shall ordain for such offices, and by advice of the Royal council shall appoint suitable men in place of those vacating them, as long as it shall please the King and until the King out of England by his letters patent shall otherwise ordain—the Lieutenant therefore required and directed the counsellors to name and choose a suitable man for the said office. And first he called upon Edward Somerton, Serjeant-at-law (*serviens domini Regis ad leges*),to name and choose some one whom he knew to be suitable ; and he after deliberation said that whereas Robert Dyke, archdeacon of Dublin, was a man of honest life and conversation and also famed from his youth up in divers courts of the King and in various honourable offices under him both in England and in Ireland, and already on various occasions had been named deputy Chancellor and deputy Treasurer in Ireland, he declared the said Archdeacon able and suitable for the office, whom the other counsellors also named and chose. It was therefore agreed by the Lieutenant and the Council, according to the custom of the land of Ireland, that Robert Dyke should be Treasurer of the same, as long as it should please the King ; receiving the usual fees. And that on this the King's writ patent should be made under the Great seal of Ireland to the same Robert in the form accustomed."

In dorso is the Inspeximus of a fourth record enrolled in the Chancery of Ireland to this effect.

" Mem. that on the 21st day of June in the 22nd year of Henry

VI [June 21, 1444] in the vestry of the chapel of St. John within the church of St. Peter in Drogheda, James le Botiller, Earl of Ormond, Lieutenant of Ireland—Richard, Archbishop of Dublin, Richard Wogan, Chancellor of Ireland, Brother Hugh Midilton, 'turcupellarius' of Rhodes, Prior of Kilmainham, Christopher Bernevale, chief justice of the King's Pleas in Ireland, William Chever, second justice of the King's Pleas, John Gogh, second baron of the Exchequer, Peter Clynton, another baron of the Exchequer, and Edward Somerton, King's serjeant-at-law, counsellors of the King in his said land of Ireland, being then present—summoned one Brother Thomas Talbot of the Hospital of St. John of Jerusalem in Ireland then present and required him on the part of the King that there | before the royal Council and before Robert Manseld, esquire, usher of the chamber of the lord King, who had been sent to the Lieutenant and Council with credence, letters and writs from the King in order to make a true relation thereupon to the King | to offer testimony how that Giles Thorndon, late Treasurer of Ireland, at the time when the King's parliament was held at Dublin before the said Lieutenant, slandered James, Earl of Ormond, then King's Lieutenant in Ireland : which Brother Thomas humbly begged the said Lieutenant to have him excused in the same, who again required Brother Thomas on the part of the King, and because Thomas was related by the tie of kinship to the said Lieutenant, to offer true testimony on this matter. Which Brother Thomas said that he heard Giles Thorndon in the archbishop's palace of St. Sepulchre's near Dublin say to the Archbishop of Dublin, that he would make sedition against the Lieutenant and that he Giles was the first who would cut his head off and that he would bear it in a napkin to the lord King because he knew that he would get pardon from the King for that deed and reward to the value of £1000. Also he said that if said Giles were present and wished to deny said words that he would repeat them before him and would offer to prove it by his body. Afterwards then and there immediately said Lieutenant before his council and before said Robert Manseld required on the part of the King said Christopher Bernivale that he would relate what violence and insults Nicholas Woder had

done in the City of Dublin to himself, then Justice, to the shame of the Lord King, which Christopher, justice, replied that in the time when Leo, Lord Wells, was Lieutenant of the King in Ireland, he, Christopher, as justice sat at Dublin, over the Chief Pleas there and as chief justice of the King's pleas, going from the street in which the pillory is to the archbishop's palace met the said Nicholas and a certain notorious felon of the King by name Tirrelagh Machenoy, indicted of felony and outlawed, with him, which Nicholas, looking him in the countenance openly and proudly questioned Christopher in these words: "why do you persecute this Tirrelagh?" To which the same justice replied and said "because he is a felon of the King and is indicted and outlawed for felony." To which the said Nicholas said "behold he is here present. I shall now see what you wish to do with him." Which justice then arrested the said felon, as he said, and ordered him on the part of the King that he should come with him, but Nicholas rashly and irreverently answered him and said that the said felon should not go with him for the same reason or for any other reason. And said Nicholas violently broke the said arrest and took him with him by force, not permitting the said felon to go with the said justice, to the dishonour and contempt of the King and the insult and reproach of said justice. Which all and singular the said Lieutenant then ordered to be enacted and enrolled and to remain on record in the Chancery."

"We have then by the tenour of these presents thought fit to exemplify the above memorandum for certain reasons specially touching us and the good and utility of our land of Ireland.

In witness whereof we have had these our letters patent made.

Teste the abovesaid Lieutenant at Drogheda on the 1st day of July in the 22nd year of our reign."

July 1, 1444.

NOTE.—These *Inspeximus* relate to the viceroyalty of James, Earl of Ormond, in the years 1441–1444, and the feud between him and Archbishop Talbot as to the government of Ireland, during which the Treasurer Giles Thorndon was especially active against the Earl. They do not appear to have ever been

printed, I therefore give them in full as follows, For other contemporary evidence on this matter, *see* Graves: *King's Council in Ireland*, pp. 273–313, and Gilbert: *Viceroys of Ireland*, pp. 336–347.

Henricus dei gracia Rex Anglie et Francie et Dominus Hibernie omnibus ad quos presentes littere pervenerint salutem. Inspeximus quoddam memorandum rotulis Cancellarie nostre Hibernie irrotulatum in hec verba. Memorandum quod tricesimo die Marcii anno Regis Henrici sexti (*torn*) in camera consilii regii infra domum Fratrum Minorum de Droghda situata | habito tractatu inter nobilem et potentem dominum Jacobum le Botiller Comitem de Ormond locumtenentem Domini nostri Regis terre sue Hibernie Ricardum archiepiscopum Dublin' Ricardum Wogan capellanum Cancellarium Domini Regis terre sue predicte Christoferum Bernevall (*torn*) Justiciarium domini nostri Regis ad placita coram ipso domino nostro Rege in terra sua predicta tenenda Robertum Dowedall capitalem Justiciarium dicti domini Regis de communi Banco in eadem terra Johannem Cornewalsh capitalem Baronem Scaccarii dicti domini Regis in eadem terra Willelmum Chever secundarium justiciarium dicti Domini nostri Regis ad placita coram ipso domino nostro Rege in terra predicta tenenda Petrum Clynton unum Baronem Scaccarii predicti E [duardum] Somerton servientem domini Regis ad leges in eadem terra et Ricardum fitz Eustace militem consiliarios dicti domini nostri Regis in eadem terra | de diversis materiis statum et utilitatem dicti domini Regis et terre predicte concernentibus inter quas idem dominus locumtenens declaravit qualiter ipse pro comodo et utilitate terre predicte tam Egideo Thorndon tunc Thesaurario dicti domini Regis terre predicte quam ceteris de consilio eiusdem dicti domini nostri Regis terre predicte de essendo cum prefato locumtenente apud Droghda die Veneris proxima post festum Annunciationis beate Marie Virginis in nocte clanculo tunc proxime sequentem litteras sub privato sigillo suo sigillatas direxit et destinavit. Et non obstante quod littera de privato sigillo eidem Thesaurario deliberata fuit et recepta ipse Thesaurarius post dictam litteram sic receptam hora quarta decima post nonam diei annunciationis beate Marie Virginis in nocte clanculo et quasi furtive extra castrum civitatis Dublinie versus Howth prope mare iter arripuit et navemque ibidem versus partes exteras navigaturus paratam invenit et intravit absque aliquo mandato domini Regis seu consilii regii

Anglie dicto Thesaurario directo sed quod ipse pro bono domini Regis seu terre sue Hibernie predicte se absentavit nec aliquam talem causam dicto domino locumtenenti seu consilio regio exposuit quem ventus prosper ultra filum Hibernici maris adeo procul ab Hibernia ad partes exteras transvexit quod si naute eiusdem navis dimidium fluxus ' tide ' maritime vel quarterium aptum et convenienter habuissent | licet ventus eis fuisset contrarius ad terram Wallie applicuissent. Set quia tam tide refluxus quam ventus eis erant contrarii terram Hibernie in crastino Annunciationis Beate Marie Virginis predicte idem Thesaurarius compellabatur applicare et ipsam terram apud Houth predict' reintrare prout per custodes Ballivos portuum nautas eiusdem navis et alios probos viros ac fide dignos circa costeras maritimas de Houth predict' manentes coram ipso domino locumtenente examinatos didicit et comprobavit. Post quam quidem declaracionem dictus Christoferus Bernevall monstravit eidem domino locumtenenti quomodo dictus Thesaurarius ante transitum suum predictum extra Hiberniam per litteras domini Regis patentes terre predicte ipsum suum ordinavit deputatum in officio Thesaurarii terre predicte in absencia ipsius Thesaurarii. Interrogatus per dictum dominum locumtenentem si dictas litteras sue deputacionis ad tunc presentes habuit dixit quod non. Unde quia per debitam examinacionem tam Cancellarii domini Regis predicti quam eciam deputati clerici ac Custodis Rotulorum et Cancellarie predicte compertum erat et inventum quod dicta pretensa deputacio predicto Cristofero facta erat de dato vicesimi tercii diei marcii anni supradicti que pretensa deputacio erat ante primam terre dimissionem et maris transmigracionem prout supra presupponitur—dictus Cancellarius erat interrogatus an ipse novit aliquam noviorem deputacionem prefati Thesaurarii dicto Christofero vel alicui alio factam citra novam suam ad terram predictam applicacionem viz. an post festum Annunciationis Beate Marie predicte aliqua talis deputacio sub sigillo domini nostri Regis predicti erat sigillata. Dixit quod non. Unde idem dominus locumtenens diversa presidensia in similibus casibus per locumtenentem Justiciarium et alios dicti domini Regis officiarios facta et habita recitans et considerans | racione suadente et legibus ac antiquis consuetudinibus terre predicte ipsum ut asseruit moventibus | dictum officium Thesaurarii terre Hibernie predicte invenit vacuum et inoccupatum et ita ex causis

premissis officium predictum Thesaurarii predicti tunc coram consilio regio predicto vacuum et inoccupatum ibidem decrevit et declaravit. Que omnia et singula mandavit inactitari et in rotulis Cancellarie predicte de recordo remanere."

" Inspeximus eciam quoddam aliud memorandum in rotulis predictis irrotulatum in hec verba. Memorandum eciam quod eisdem die loco et tempore idem dictus dominus locumtenens coram dicto consilio regio declaravit qualiter ex fidedigna relacione recepit quomodo predictus Egideus Thesaurarius ac Constabularius castri domini Regis Dublin quendam Thomam Fitz Morice notoriosum proditorem | qui prisonam et gaolam predicti domini Regis in qua quidem Frater Thomas Fitz Gerot prior Hospitalis Sancti Johannis Jerusalem in Hibernie se pretendens ex felonie ac prodicionis suspeccione primo per ipsum locumtenentem erat positus ac postea virtute specialis mandati nostri Regis predicti sub privato sigillo suo de Anglia dicto domino locumtenenti destinati ad dictum Fratrem Thomam firmiter detinendum et custodiendum quousque idem locumtenens per dominum nostrum Regem predictum aliter habuerit in mandato detentus extiterit cum magna multitudine Hibernicorum inimicorum dicti domini Regis ac anglicorum rebellium terre sue predicte dictam prisonam et gaolam fregit ac ipsum Fratrem Thomam priorem pretensum predictum inde extraxit et ad largum suum ire permisit ipse Egideus sciens ipsum Thomam huiusmodi feloniam et prodicionem fecisse et perpetrasse | in castro Dublin predicto tam in aula ad mensam quam in camera et gardino eiusdem necnon in ecclesia parochiali beate Marie ' de le Dam ' prope dictum Castrum ad secreta colloquia nunc publiciter nunc occulte recepit et receptavit | qui Thomas incontinenter postea ad Hibernicos domini Regis inimicos se divertebat et eis preditorie adherebat prout adhuc adheret.

Ac dictus Egidius extra terram Hibernie predictam ante hec tempora diversis vicibus contra formam statutorum inde editorum se absentavit. Unde idem dominus locumtenens ex hiis omnibus declaratis et aliis enormibus contra ipsum Egideum declarandis ut asseruit motus omnia officia et annuitates dicti Egidii infra terram Hibernie in manus dicti domini nostri Regis cepit et seisivit. Que omnia mandavit inactitari et in rotulis Cancellarie predicte de recordo remanere."

" Inspeximus insuper quoddam aliud memorandum in eisdem rotulis irrotulatum in hec verba.

Memorandum insuper quod dicto anno die et loco, videlicet xxx die Marcii predicto, prefatus dominus locumtenens prefatis consiliariis dicti domini nostri Regis terre sue predicte adtunc presentibus declaravit qualiter ipse officium Thesaurarii terre Hibernie predicte ex causis supradictis ipsum ut asseruit moventibus decrevit fore vacuum et inoccupatum et inter alia officia que ipse Egideus tunc in terra Hibernie habuit in manu dicti domini Regis seisita et quia dictum officium quod regi et rei publice commoda procurabat diu non conveniebat vacare et iam prope terminus Pasche instat quo per diversa media revenciones dicti Regis terre sue predicte si poterint accrescere necnon per Thesaurarium recepi ac in Thesaurariam dicti domini Regis terre sue predicte reponi si ad hoc diligens bonus et fidelis industriosus vir ad dictum officium exercendum esset electus. Et quod consuetudo terre Hibernie predicte sic fuit a tempore conquestus eiusdem quod quociens contigerit officium cancellarie Thesaurarii Hibernie seu aliquod aliud officium ad dictum Regem in terra predicta pertinens quoquo modo vacasse seu a regimine destitutum esse quod locumtenens seu Justiciarius qui pro tempore fuerit cum consilio domini Regis eiusdem terre pro huiusmodi officiis sic vacantibus ordinaret ac per avisamentum consilii regii loco vacancium alios ydoneos officiarios ponere quamdiu domino Regi placuerit et quousque idem dominus Rex extra Angliam per litteras suas patentes de huiusmodi officiis aliter duxerit ordinandum | dictos consiliarios ex parte dicti domini regis requisivit et mandauit ut ipsi habilem ad dictum officium gubernandum nominarent et eligerent."

" Et primo Edwardum Somerton servientem dicti domini Regis ad leges in terra predicta requirebat ut ipse nominaret et eligeret ipsum [*sic* : ? aliquem] ad officium Thesaurarii predictum quem sciret habilem ad dictum officium gubernandum et regendum in terra predicta. Qui Edwardus deliberacione prehabita dixit eo quod Robertus Dyke clericus Archidiaconus Dublin' vir erat vite probe ac conversacionis honeste necnon a iuventute in curiis domini nostri predicti ac in diversis honestis officiis ad ipsum pertinentibus tam in Anglia quam in Hibernia conversatus et ante hec tempora diversis vicibus tunc ad officium

deputacionis cancellarii quam Thesaurarii terre predicte nominatus erat ipsum Robertum archidiaconum ad dictum officium reddebat habilem et ydoneum. Quem Robertum omnes alii consiliarii domini Regis predicti tunc eciam presentes ex causis premissis in Thesaurarium domini Regis Hibernie nominarunt similiter et eligerunt. Ob quod per dictum locumtenentem et consilium regium predictum per consuetudinem terre Hibernie predicte concordatum est et ordinatum quod predictus Robertus Dyke sit Thesaurarius eiusdem domini Regis terre predicte Hibernie et [ad] occupandum officium predictum quamdiu domino Regi placuerit percipiendo de eodem domino Rege annuatim in officio illo vadia et feoda eidem officio debita et consueta. Et quod super hoc littere domini Regis patentes sub magno sigillo domini Regis Hibernie eidem Roberto Dyke in forma debita fiant et consueta."

" Inspeximus ulterius quoddam aliud memorandum in rotulis predictis irrotulatum in hec verba.

Memorandum quod vicesimo primo die Junii anno regni Regis Henrici Sexti vicesimo secundo in vestiario capelle sancti Johannis infra ecclesiam sancti Petri de Droghda situate nobilis et potens dominus Jacobus le Botiller comes de Ormond Locumtenens domini nostri regis terre sue Hibernie | Ricardo archiepiscopo Dublin Ricardo Wogan cancellario domini Regis terre sue Hibernie fratre Hugone Midilton Turcupellario Rodi Priore de Kylmaynam Christofero Bernevale capitali Justiciario domini Regis ad placita coram ipso domino Rege in terra ipsa tenenda Willelmo Chever secundario Justiciario domini Regis ad placita coram ipso domino Rege in terra predicta tenenda Johanne Gogh secundario Barone Scaccarii domini Regis terre sue predicte Petro Clynton alio barone eiusdem Scaccarii et Edwardo Somerton serviente domini Regis ad leges in eadem terra consiliariis domini nostri Regis in terra sua predicta ibidem tunc presentibus . . . . ipse locumtenens rogavit quendam fratrem Thomam Talbot unum fratrem Hospitalis Sancti Johannis Jerusalem in Hibernia tunc presentem et eundem requirebat ex parte domini nostri Regis predicti ut ibidem coram consilio regio predicto ac coram Roberto Mansfeld armigero hostiario camere metuendissimi domini nostri Regis Anglie ad dictum dominum locumtenentem consilium ut asseruit cum credentia litteris et brevibus a dicto domino Rege misso

tunc eciam presente ut ipse Robertus fidelem relacionem dicto domino nostro Regi inde facere poterit | veritatis testimonium perhibendum referret quid sinistrum audivit dictum Egideum Thorndon nuper Thesaurarium Domini nostri Regis in terra sua predicta de ipso Jacobo le Botiller comite de Ormond ipso tunc locumtenente dicti domini Regis terre suo predicte tempore quo parliamentum domini Regis coram dicto locumtenente apud Dublin fuerat tentum indebiter calumpniando dicere seu referre.

Qui Frater Thomas rogavit humiliter dictum dominum locumtenentem ipsum in premissis habere excusatum. Qui dominus locumtenens iterum eundem Fratrem Thomam ex parte domini nostri Regis predicte requirebat et ex eo quod ipse Frater Thomas consanguinitatis vinculo dominum dictum Locumtenentem attingebat veritati in hac parte testimonium perhibet. Qui Frater Thomas dicebat quod ipse audivit Egideum Thorndon in palacio archiepiscopali sancti Sepulcri iuxta Dublin desiderare Ricardum archiepiscopum Dublin ut ipse communes convocaret et sedicionem contra dictum locumtenentem et dicere quod ipse Egidius esset primus qui caput vellet amputare et illud dicto domino Regi in manutergio deferre quia scivit ut dixit quod gracias pro illo facto a Rege reportaret et regardum ad valenciam mille librarum haberet.

Et ultra dixit quod si dictus Egidius esset presens et predicta verba vellet denegare ipse eadem coram ipso vellet advocare cum corpore suo super corpus eius probare.

Postmodumque tunc et ibidem ad statim idem dominus locumtenens coram consilio predicto et presente Roberto Mansfeld requirebat ex parte domini Regis predicti predictum Cristoferum Bernevale Justiciarium ut ibidem referret qualia violenciam et opprobrium Nicholas Woder de Dublin sibi tunc Justiciario in dedecus dicti domini Regis et contemptum fecit in civitate Dublin. Qui Cristoferus Justiciarius respondebat quod tempore quo Leo Dominus de Welles erat locumtenens domini Regis terre predicte ipse Cristoferus justiciarius domini Regis sedebat apud Dublin [ad] capitalia placita ibidem tunc existencia et ut capitalis Justiciarius domini Regis ad placita eundo a vico in quo pilloria civitatis predicte existit ad palacium archiepiscopi Dublin obviavit dicto Nicholao et cuidam feloni eiusdem domini Regis notorio nomine Tirrelagh Machenoy de felonia indictato et utlagato cum eo qui Nicholaus vultu malivolo et superbo ipsum

Cristoferum justiciarium verbis interrogauit " cur tu tam molestus es dicto Tirrelagh ? " Cui idem Justiciarius respondit et dixit quia felo domini Regis est et indicatus et utlagatus de felonia existit. Cui predictus Nicholaus dixit " Ecce hic est ille presens. Videam nunc quid vis secum facere." Qui justiciarius ipsum felonem ut dixit adtunc arrestauit et mandauit sibi ex parte dicti domini Regis ut secum transiret qui Nicholaus eidem justiciario temere et irreverenter respondebat et dixit quod dictus felo non transiret eum eo ea de causa vel aliqua alia. Et dictus Nicholaus dictam arrestam violenter fregit per vim et accepit cum secum, non permittendo dictum felonem cum dicto Justiciario transire in domini nostri Regis dedecus et contemptum et ad dicti justiciarii opprobrium et gravamen.

Que omnia et singula idem dominus locumtenens tunc mandavit inactitari et in rotulis cancellarie predictis de recordo remanere. Nos autem memoranda predicta certis de causis no ac bonum et utilitatem terre nostre Hibernie specialiter concernentibus tenore presencium duximus exemplificanda.

In cuius rei testimonium fieri fecimus patentes.

Teste prefato locum nostrum tenente apud Drogheda primo die Julii anno regni nostri vicesimo secundo."

[My former pupil, Miss Jocelyn Otway-Ruthven, has kindly transcribed for me the following document relating to Giles Thorndon above, which so far as I know has never been published. It is from the Public Record Office, London, and is classed as Exchequer T. R. Warrants for Issues, Bundle 64.]

Privy seal warrant for payment of 293*l.* 19*s.* 9*d.* to 'oure trusty and welbeloued Squier Gyles Thorndon oure Tresorer of oure lande of Irlande.' Given at Windsor on the 4th day of October, 26 Henry VI. [October 4, 1447].

Thorndon has petitioned the King to the effect that " he at the feste of Estre the xxii yere of oure regne (1443) came out of oure said lande of Irlande to Abyngdon unto us for the reformacion of certaine matiers particulerly shewed and declared in writyng to us by the said Gyles ayenst the Erle of Ormond, the which articles we committed to oure Counsail, to whom the same Erle because of divers matiers touching oure person beying at

that tyme afore oure said Counsail ayenst the said Erle by Thomas FitzGerot, Priour of Kylmaynam, prayed and required that the said Articles myght be defferred and be putte in suspens because of the higher matier, and whanne he thereof had deliuered the said priour he wolde answere to the articles of the said Gyles, which request at that tyme was fulfilled, and afterward it liked us to committe to the said Gyles the keping of the said priour and so the same Gyles abode in this oure Reume upon the deliuerance of the said matiere touching oure persone and for the response of his said articles /the which as yit ben unanswered to fro the said festre of Estre unto the feste of saint Michell the xxv yere of oure said Regne to his greet charge and cost which of hym self was to him importable to bere withoute oure socour /by the which tyme and by the tyme that the said Gyles hath ben Tresorer of oure saide lande there is growen due to him and unpayed of his fees and wages for the office of Tresorer aforesaid 293*l.* 19*s.* 9*d.* as it appierith of recorde by oure lettres patent exemplified undre oure greet seal of oure said lande of Irlande, Also sithens that tyme it hath liked us to graunte to therle of Shreuesbury oure lieutenant of our said lande all the reuenues of oure same lande the which he hath taken and assigned where as hym semed, so that ther come noon to the hands of the said Gyles nor no paiement can gete of the said Erle of his said fees and wages nor within oure saide lande of Irelande ther ben no reuenues whereof the said Gyles might be assigned to haue paiement of the said somme because of the yiftis and assignments of the said reuenues made and assigned afore this tyme, and of the waste and destruction doon thereof withinne oure said lande by oure Irissh ennemys and Englissh rebelles to his utter undoyng for ever without oure grace to hym beshewed in this partie."

October 4, 1446].

[The difficulties of payment out of Henry VI's Exchequer however are shown in a Privy Seal warrant dated Westminster, March 5, 1447, that Giles Thorndon, not having yet received the above sum in spite of an exemplification under the Great Seal of Ireland, is to be paid without delay. Another warrant of Privy seal, dated December 15, 1447, says he has been given tallies in payment but is in such urgent distress that he cannot wait, and

so is to be paid ready money instead. Exch. T. R. Warrants for Issues, Bundles, 64, 65.]

NOTE.—It may be added here that Graves' "*King's Council in Ireland*, 16 Richard II" contains in the Appendix certain documents described as 'Original patents preserved in the Muniment Room of the Marquis of Ormonde, Kilkenny Castle.'

The first of these (*ibid.* pp. 269–272) is of the date March 12, 1404. It is an 'Inspeximus of an enrolment of a subsidy granted to the Earl of Ormond by the Council with the assent of the Magnates, Clergy, and Commons, as their Stipendiary and Governor at War in the absence of Stephen Lescrope, Deputy to Thomas of Lancaster, Lord Lieutenant of Ireland, in consequence of the danger imminent from the enemies and rebels of the land of a subsidy of 6*s.* 8*d.* on each carucate of tilled land in Leinster, and the counties of Meath, Louth, Waterford and Tipperary and a rateable proportion from the prelates and clergy and the cities of Dublin and Waterford, etc.'

The second (*ibid.* pp. 276–284) is of the date 1442. It is an 'Inspeximus of a memorandum of evidence taken before the Lord Lieutenant and Council concerning certain charges against the Earl of Ormond, transmitted by virtue of a privy seal from England to Richard Wogan, Chancellor of Ireland. A portion of the Great seal, in white wax, remains affixed to a slip of parchment cut from the bottom of the document, but not severed.'

The third is in English (*ibid.* pp. 285–287) of the date 1442. It is a 'Letter of Richard Wogan, Chancellor of Ireland, to Henry VI, throwing doubts on the evidence laid before the Council in refutation of certain charges against James, Earl of Ormond.'

The fourth (*ibid.* pp. 288–294) is of the date 1442. It is an 'Inspeximus of a memorandum of the proceedings of the Lord Lieutenant and Council of Ireland, consequent on the withdrawal of Richard Wogan, Chancellor of Ireland, and his concealment of the Great seal.'

The fifth (*ibid.* pp. 295–303) is of the date 1442. It is a 'Memorandum of proceedings before the Lord Lieutenant and Council of Ireland respecting the refusal to deliver the Great seal to Richard Talbot, Archbishop of Dublin, Chancellor of Ireland, subsequent on his neglecting to produce before them the letters patent of his office, or any record or exemplification thereof.'

The sixth (*ibid.* pp. 303–313) is of the date 1444 and is a ' Contemporary paper roll dealing with the government of the Earl of Ormond.'

160.

Rental of all lordships of Lord James le Botiller, Earl of Ormond, in counties Kilkenny and Waterford made before Walter Glerne, his seneschal, at Easter term in the 22nd year of Henry VI [April, 1444].

Dunfert.

[The names and rents of tenants here are the same as given in preceding rolls of Dunfert, *see* Deed 139].

Total 6*l.* 8*s.* 4*d.*

Knocktopher and the rents of the burgagery there for the said term . . . . 37*s.* 11*d.*
Forensic [rent] there viz. from forensic [rent] of ' the Whitehede ' for the term . . . 23*d.*
William Collyne for his tenement, ditto . . 7*d.*
The tenement formerly Malerony's, ditto . . 1*d.*
Le Gurtyne near the mill, ditto . . . 3*d.*
The tenement formerly William Braynok's, ditto . 1*d.*
,, ,, of William Rise . . . 13¼*d.*
,, ,, in which John Proute lives . . 1*d.*
,, ,, of Richard Baith, ditto . . 2¼*d.*
Haulyne grove, ditto . . . . 9¼*d.*
Walter Glerne for Barreteston, ditto . . 3½*d.*
Thomas Howell for his tenement, ditto . . 7*d.*
The same for two mills, ditto . . . 20*s.*
James Whitefeld for his messuage, 23 acres of the demesne . . . . . 4*s.*
The same for 30 acres of the same by way of fee . 10*s.*
,, ,, ,, 3 acres in Denne le Row . . 12*d.*

Knocktopher.

Rental of all lordships.

John Croke for 20 acres of the same demesnes by way of fee (*in nomine feodi sui*) . . . 6*s.* 8*d.*

Nicholas Walsh for his messuage and 12 acres of the demesne . . . . . 4*s.*
Philip Hore and Thomas O'Lannane for their messuage and 12 acres . . . . . 4*s.*
Adam Walsh for 5 acres of demesne for said term . 20*d.*
The tenement of Shane O'Morgh, ditto . . 12*d.*
The vicar of Knocktopher for 4 acres of demesne, ditto . . . . . 16*d.*
Kittagh Graunt for 5 acres in 'Whitesheis' . 20*d.*
Walter Glerne for the farm of Ontonesrath . 20*s.*
The same for the farm of Kilto . . . . . 33*s.* 4*d.*
Thomas Saltere for 3 acres in Casescrofte . . 12*d.*
The wife of John Walsh for 10 acres in Dennesrath 3*s.* 4*d.*
Richard Porcell for the farm of Co . . , Rolyneston and Whiteston . . . . . 13*s.* 4*d.*
The chief rent of Killerill in hands of James Forstall 24*d.*
,, ,, ,, ,, Dernehenche, for the term . 22*d.*
,, ,, ,, ,, Lesmataige, ditto . . 12*d.*
,, ,, ,, ,, Howelleston ,, . . 19*d.*
,, ,, ,, ,, Baligeragh ,, . . 4*d.*
,, ,, ,, ,, Crobally ,, . . 6*d.*
Thomas William for the chief rent of the moiety of Castellgarnane, ditto . . . . 20*d.*
The chief rent of Balidowane, ditto . . 2*s.* 10*d.*
,, ,, ,, ,, Aghbaltyr (?) ditto . . 1*d.*
,, tenants of Crobally for the lord's chief rent (waste) . . . . . 6*d.*
,, tenants of Kiltorcane for the pasture of Lesconthy 12*d.*
,, ,, ,, Houellston for pasture of the same . 12*d.*
Lesmataige for pasture and chief rent of Kilkerill . 12*d.*
The tenants of Henreston for pasture of same . 12*d.*
,, chief rent of Grageleane for the tenement of Kilkerill 4*d.*
,, ,, ,, ,, Balibregane ,, ,, ,, ,, Kilkerill $\frac{3}{4}$*d.*

Carrickmagriffin.

Rent of the burgagery there . . 19*s.* 3*d.*
Robert Walsh for the farm of the mill there for the term . . . . . 15*d.*
The chief rent of a moiety of Monydaiff, ditto . 3*s.* 4*d.*
,, ,, ,, ,, Bellaghdir (waste) . 2*s.* 6*d.*

Edmund Messon for Carrickbeg, who does not come on account of war	—
The same for Kilbrenyne, ditto	—
The chief rent of Richardeston, ditto	1*d.*
,, ,, ,, ,, Mayneston, ditto	1*d.*
Philip Braynok for 4 acres of demesne, ditto	16*d.*
William Cooke for 4 acres, ditto	16*d.*
Henry Boy for 3 stangs there, ditto	3*d.*
Thomas O'Henrechane for 1 acre	4*d.*
The fines of Carrick, ditto	6*s.* 8*d.*
,, oven there	3*s.* 4*d.*
Thomas Kell O'Neill for the farm of Monybratayne	10*d.*
Thomas O'Taig for 14 acres for the term	12*d.*
Richard Braynok for 1 acre, ditto	4*d.*

April, 1444.

Dorso contains proceedings of the Lord's court held on Thursday next after St. Katherine's day in the 34th year of Henry VI (November 27, 1455). The usual suits with regard to trespass, bloodshed, etc.

Assignments and payments made in Michaelmas term.

These include payments and fees to the Constable of Gowran, to William, son of James of Donboigne, Katherine Freigne at the will of the lord, the serjeant of Knocktopher, etc.

161.

Indenture made on the 28th day of August in the 22nd year of Henry VI between James, Earl of Ormond, King's Lieutenant in Ireland, and Richard Nugent, knight, baron of Delvin.

[The document is in English which is here modernised. The terms are as follows].

The Earl has made the said Baron his deputy in the office of Lieutenant. He grants that during the time of his office as Deputy he shall have for every quarter a hundred marks and five marks in money, and one hundred marks and five marks in pennyworths, and prise (*pris*) of merchandise, that is to say for expenses of his household for every quarter, eighty marks and ten marks and for wages of the fellowship that continually remains about him, one hundred and twenty marks for every quarter. And that

this payment both of money and of prise shall be paid in the following form, namely for the first quarter he shall receive from William Nugent and Bertilmew Bath twenty marks which they should have paid to said Lieutenant on SS. Philip and James' day last past for Tirell's son. Also he shall receive at Christmas term the rent of Causeton 3*l*. Also the subsidy of the barony of Delvin six marks 5*s*. and 4*d*. Also of William Cruys by his obligation 100*s*. Also of the primate of Armagh for one of the payments that he should make to said Lieutenant, 44*l*. 8*s*. And for the 100 marks and five marks which said Lieutenant shall pay in prise for the first quarter the said Lieutenant shall make Thomas Scharp to deliver two packs of English cloth to the Deputy in prise of 56*l*., and the Lieutenant by his own hands shall deliver to the Deputy a half pack of English cloth, the price (*pris*) of it 14*l*., and for the second quarter the Deputy shall receive in money of Robert Dowdale and Richard Begge twenty marks which will be due from them to the lieutenant at Michaelmas next coming. Also of the primate of Armagh for the second payment that he owes to the lieutenant 40*l*. Also of the said Primate for the third payment 16*l*. 13*s*. 4*d*. And for the hundred marks and five marks which the Lieutenant shall pay to the Deputy in prise for the second quarter the Lieutenant shall deliver such cloth or other merchandise as shall please the Deputy by the feast of the Purification of our Lady next coming after the date of these indentures in Ireland or else into the hands of William Nugent, brother of said Deputy, in England after his election as Deputy. Also during the time that he occupies the office, if any office fall void which belongs to the gift of the Deputy in virtue of his office which exceeds the value of ten marks yearly, he shall give it by the advice of William Chevir, deputy to Richard Woghan, Chancellor of Ireland, Robert Dowedale, Chief Justice of the Common Place, John Cornewalsch, Chief Baron of the Exchequer, William Boys, Peter Clynton, Edward Somerton and Stephen Roche, or else by advice of three of them ; and the profit that comes to the Deputy lieutenant for the said offices to be divided in two, that is to say, half to the Lieutenant, half to the Deputy. And during his term the Deputy shall be friendly and favourable in lawful manner to MacMahon's sons. And if any profit come to him by making of peace or war with MacMahon half of it shall go to the Lieutenant and the other half to him as

Deputy. Also during his term he shall give no charter to Thomas Barrynton or to any of them that were at the death of James Mulghan or to William fitzWilliam or to John White of Balybroge in the county of Kildare. Also that during the said term the Lieutenant shall find him in sixty good and able archers in county Kildare and sixty archers in Uriel with competent captains, which captains shall be bound to obey the deputy as their captain, and to do him such service as he shall command them at all places and times during his term of office, if there be no war in the counties that the said archers dwell in at the time that he commands them and their captains to do him service. And if he occupy that office longer than half a year then the Lieutenant shall pay him according as he paid him for the half year, at the rate and for the time that he occupies it. And as regards all benefices that fall in during his term of office and which belong to the Deputy in virtue of his office he shall take advice of the abovesaid William Chevir, Robert Dowedale, John Cornewalsch, etc., before he make any grant of them and then he shall give them at his own discretion. And if said Lieutenant do not return to Ireland before the feast of SS. Philip and James next after the date of these indentures, then after that feast it shall be at the election of the Deputy to give up the occupation of his office and utterly discharge himself thereof, or else to occupy it at his own election without any impeachment of the Lieutenant or any other man. And if any great prisoner be taken whose ransom shall exceed one hundred marks during the deputy's time of office he shall have one half and the Lieutenant the other. And the time of the receipt of his wages as Deputy shall begin on the day that he takes oath in his office and from that day forth.

In witness whereof the Lord-lieutenant and the Deputy to these indentures have interchangeably set their seals.

August 28, 1444.

162.

Richard Boneys and Rosina Fawkiner his wife give and grant to David fitzJohn all messuages, lands, rents, meadows, moors, etc., which they have in Caston in the tenement of

Tascoffyne which formerly belonged to Margaret daughter of John de la Freigne. To have and to hold to them and their heirs for ever.

Witnesses: Robert Savage, sovereign of Kilkenny, Nicholas Mahowe and Richard Whyte, reeves, John Raghit, Walter Danyell, David Abraham and John Kylby.

February 16, 1445. Two seals perfect.

163.

John Hall, heir of Sir Edward Perers, knight, quit-claims to John Waring and his heirs for ever all his right in a messuage, two carucates of land, sixty acres of wood, twenty acres of meadow, forty acres of pasture and one watermill in Brounston in the tenement of Fynell.

August 19, 1445. Seal.

164.

Liberty Court of Tipperary.

Pleas held before Thomas Comyn, seneschal, at Clonmel on Thursday before St. Luke's day in the 24th year of Henry VI. [October 14, 1445].

The cases are of the usual kind, pleas of debt, unlawful detention, robbery, forced grazing, etc.

The names include Thomas Ketagh Graunt, Thomas fitz-Stephen, Eugene son of Nicholas de Valle, William Mauncell, Nicholas Everard, Anres O'Kearny, David son of Philip White, David Walsh, John son of Paul Ketyng, Peter Everard, Thomas Baron, Adam Walsh, Richard son of Thomas Walsh, Henry Marreys, Annora daughter of John Marreys, Patrick Fleming, Philip O'Lorcan, Walter Haket, David Brenan, William Stakeboll, etc.

Similar pleas held before the same Seneschal on Thursday next after Michaelmas in the 26th year of Henry VI [October 5, 1447].

165.

Sixteenth century paper copy of an earlier deed.

Adhuc communia de termino S. Hilarii anno regis Henrici sexti vicesimo quarto.

Mem. That it was discovered by an inquisition taken at Dublin on Monday next after the Epiphany in the 24th year of Henry VI /before James Power, clerk, and Philip Walshe, clerk, commissioners of the King assigned with others by the King's letters patent dated the 18th day of February in the 23rd year of the reign [February 18, 1445] in counties Uriell, Dublin, Drogheda and Kildare and in the Crosses of the same within and without liberties to enquire of all and singular articles and rights contained in said letters patent and to take and determine all and singular matters which belonged to the King as in the same letters patent more fully appears /that Walter Travers of Ballighe on the day of his death was seised in his demesne as of fee of six messuages and two carucates in Ballighe and sixty acres of land in Casbally and forty acres in Quylkynston in county Dublin, which are worth per annum 100*s*., and held them of James, Earl of Ormond, as of his manor of Turvy by knight service, the said manor of Turvy on the day of Walter's death being in the hands of the King for certain reasons. Also that Walter at his death was seised in demesne as of fee of twelve messuages and two hundred acres in Kynnure worth per annum 26*s*. 8*d*., and held them of the said Earl as of the said manor, by fealty and service of 18*s*. of chief rent per annum. Also that he was seised as of fee in a messuage and sixty acres of land in Curtelagh worth per annum 20*s*., and held the same of Michael Tryvers by fealty and service of suit of court every fortnight. Also that he was seised at his death as of fee in ten messuages and one acre in Luske worth per annum 10*s*., and held them of Richard, archbishop of Dublin, as of his manor of Lusk, by fealty and service of 6*s*. 8*d*. chief rent per annum. Also that he was seised as of fee in one messuage and 100 acres of land in Leyton worth per annum 13*s*. 4*d*., and held them of Henry Bernewall as of his purparty of the manor of Ballrothery by fealty and suit of court every fortnight. Also that he was seised at his death in his demesne as of fee in six acres of land in Hollywodragh worth per annum 2*s*., and held them of Robert Bernewall and Margaret his wife as of the right

of said Margaret as the purparty of the same Robert and Margaret in the manor of Hollywodragh by fealty and suit of court every fortnight. Also that Walter took to wife before his death Joan Barett, who now survives him, and that he died on Monday next before the feast of St. George, Martyr, last past [April 19, 1445]. And Geoffrey Travers is the son and nearest heir of the same Walter, lawfully begotten between him and Joan Owyne lately his wife, and is under age, namely nineteen years at the feast of All Saints last past and was married to Margaret Tysson before the death of said Walter his father. And that Walter did not hold any other lands or tenements in county Dublin or of any others on the day of his death which might be seised into the King's hands. And therefore all messuages, lands and tenements lately belonging to him in Ballighe, etc., as above were taken and seised into the hands of the King by the said James and Philip the King's commissioners according to the inquisition. Upon which on the 24th day of January last past the sheriff of Dublin was ordered by writ to distrain all and singular tenants, occupiers and gavellers of all lands and tenements in Ballighe, etc., (as above) to be here on Thursday next after the feast of the Conversion of St. Paul to satisfy the lord King of rents and issues of all the above from Monday next after the feast of St. George and moreover to do and receive what the court shall ordain. On which Thursday the sheriff of Dublin, namely Robert Bathe of Lauendeyeston, knight, returned the said writ as directed to him, etc., and that John White and Gyles Gerrot of Ballighe are tenants, occupiers and gavellers of six messuages and two carucates of land in Ballighe, William Doughire is tenant of said sixty acres in Casbally, John de Ballighe is tenant of forty acres in Quylkynston, and Richard White of Keneure and William Taillour of the same are tenants of ten messuages and two hundred acres in Kynewor and are distrained, namely each of them is distrained by himself for the issues, etc.

Copia vera ex. per Willelmum Plunkett.

January 10, 1446.

166.

Indenture in English, made on Thursday next after the feast of St. Hilary in the 24th year of Henry VI between Edmund

fitzThomas Botiller and Richard fitzThomas Botiller, witnesses that said Edmund has given freely to Richard the manor of Kyltevenane, to have and to hold to him and his heirs, upon the condition that whenever Edmund shall deliver to Richard or his heirs the manor of Knockgraffon, Dunhymegane and Clogherane then Richard or his heirs shall deliver to Edmund or his heirs the manor of Kiltevenane, so that Edmund shall get licence of Edmund Richardeson [Butler] to have delivery, if the said Edmund Richardeson shall be alive at that time, and if he be not then Edmund fitzThomas shall have the said delivery as is aforesaid.

January 20, 1446.

167.

William Walsch, chaplain, gives and grants to Nicholas son of David Hynberye the manor of Owenyn, the manor of Henberyeston and the manor of Fanyneston, together with all other messuages, lands, rents, etc., which grantor had of the gift and enfeoffment of said Nicholas in the parish of Ownyn and the parish of Fotherom in Overk, to have and to hold to said Nicholas and the heirs male of his body lawfully begotten. If he die without heir male, remainder similarly to Philip, Thomas, Richard, John, Walter, all sons of the said Nicholas; then to John son of Patrick Tywe; William son of Philip Hynberye; William son of Richard Hynberye; John Glas son of Richard Gyllegalde Lesagh Walsch; Milo son of the same Richard; Philip son of Philip Cam Lesagh Walsch; Walter son of John Glas Lesagh Walsch; Richard son of James Lesagh Walsch, and Richard son of Patrick Tywe. And if all these die without heir male so begotten, the above manors, etc., shall revert to the right heirs of the abovesaid Nicholas son of David Hynberye and his heirs for ever.

February 10, 1446. William Walsch's seal perfect.

168.

Patrick, abbot of Surio of the Cistercian order in the diocese of Lismore, appoints William Corre, chaplain, his proctor and

special envoy for attaching and impleading if necessary Master Richard Scadan.

Given in the said monastery on the 20th day of April in the year 1446.

April 20, 1446.

[Deed is in bad condition. The Abbey " de Surio " is the monastery of Inislaunacht, a Cistercian house in the diocese of Lismore in the county of Tipperary ; see Archdall's *Monasticon Hibernicum* (1786), p. 661].

169.

Deed of attorney of Anastasia Daton, daughter and heir of John Daton, appointing Nicholas MacElyot her bailiff for delivering to Geoffrey Vale, chaplain, full seisin of all her lands, etc., in counties Kilkenny, Tipperary and elsewhere.

Given at Henberyeston on Wednesday next after the feast of St. Augustine in the 24th year of Henry VI.

August 31, 1446.

170.

Deed of attorney of Robert son of Thomas Shortals appointing David John of Kilkenny his bailiff for placing Thomas Langton, chaplain, in full seisin of his manor of " Omest Claragh " in county Kilkenny together with all messuages, lands, rents, etc., which grantor has in Waltereston, Blakrath, Corbally, Grageaudyn Rogereston, Barretesrath, Werynesrath and Hosmondeslogh.

December 8, 1446. Shortall seal perfect.

171.

Two Deeds.

1) Richard Dutton of Callan gives and grants to John Spellis of the same his tenement called ' le Selour bouche ' which is situated between the tenement of Richard Horehan on the south and the King's way on the north. Also ten acres of arable land of which four lie in the field of ' Vale asshis ' and one acre and a half lie between Robert Graunt's land on the south and that of Hugh Masoun on the north ; another one and a half acres lie

between Thomas White's land on the south and that of Geben Dier on the north ; one lies between Thomas Mothell's land on the north and that of Robert Malgarphe on the east ; and two lie in the field called ' le blak rathe ' between the Earl of Ormond's lands on the east and west. To have and to hold to him and his heirs for ever.

Witnesses : Sir Nicholas Herbroun, chaplain, William Beckett, William Shortale, Hugh Masoun, William Masoun.

August 26, 1447. Seal.

2) Sir Richard Duton of Callan, chaplain, son and heir of John Duton of Callan, gives and grants to John Spellis of the same all lands, tenements, rents, etc., which ought to descend to him by hereditary right after the death of his father John in Callan. To have and to hold to him and his heirs for ever.

Witnesses: David the chaplain, Hugh Duton, Nicholas Wilmott, Nicholas Brewer, John Salauaker.

August 26, 1447. Seal.

172.

Indenture between James, Earl of Ormond, and Walter Glerne " gentilman," witnesses that the Earl has granted and to farm let to Walter all lands, tenements, rents and services which formerly belonged to the Earl and Countess of Stafford in the town and county of Kilkenny, with wardships, marriages, escheats, reliefs, advowsons of churches—the lordships of Old Coilagh, Balidonill and Clonetibret with all their appurtenances, excepted —also all lands and tenements which belonged to Edward Perers, knight, both within and without the burgagery of Callan, all lands, tenements, rents and services which belonged to Christopher Coterell in Coterellsboly, Stamecarthy and Corbaly near Coterellesboly, together with the grantor's townland called ' Ontonnesrath ' which he gave to Walter for Kilkerill and 20*l.* silver which he (the Earl) received from the same Walter in various parcels for his use. He grants also to Walter the two messuages near Kilkenny and ' le Shirehall gardeyne ' there, in which John Meisoun and Thomas McRebir lately dwelt, grantor's water mill in his manor of Dunfert, the moiety of all pannage pigs, summer sheep,

customary hens, the prise of ale, profits of court and heriots of the ' Hill of Callan.' Also the chief rent of Watonesgrowe, rents of the burgage of Barreteston, Slingeresfeld and ' le Crossefeld ' lying within the burgage of Baliopane otherwise called Knoctoffre. To have and to hold to the said Walter for the term of thirty-two years next following, rendering yearly 20*l.* silver.

March 5, 1449.

173.

John son of David Kiwe grants to Edmund son of Nicholas Everard of Fethard and his heirs for ever all claim which he has or may have in the moiety in a messuage and of a moiety of a garden in Carrickmagriffin.

June 12, 1449.

174.

John Swetman and Richard Purcell give and grant to James, Earl of Ormond, their manor of Donmore, together with all rents, homages and services of all free tenants belonging to the same, to have and to hold to him and his heirs for ever.

" In witness whereof we have to these presents set our seals but because they are to many unknown the common seal of the town of Kilkenny is at our special request also affixed."

June 16, 1449. Three seals perfect ; one is that of the town of Kilkenny.

175.

Richard O'Hedian, archdeacon of Cashel, gives and grants to John son of Simon Cantwell two messuages in Boteston with three acres adjacent and fifteen acres in Lycergyn, to have and to hold to him and his heirs for ever.

Witnesses : Nicholas Cantwell, Sir Henry Flymyng, vicar of Burgaslethe, and Nicholas Haket, lord of Rathmᵉkarch.

Seal perfect.

[No date is given. It is probably *circa* 1450. Richard O'Hedian, later Archbishop of Cashel, was, according to Cotton's

Fasti, archdeacon of Cashel 1403–1406. A later Richard O'Hedian was also archdeacon of Cashel in 1425, and again in 1437, and from that apparently to 1463.

Archdeacon Seymour, Donohill Rectory, kindly favours me with a note as to the above place-names. "Burgasleth is almost certainly the parish of Two-Mile-Borris, barony of Eliogarty, county Tipperary. The correct ecclesiastical name appears to be 'Borris.' 'Boteston' or 'Boytheston,' as it sometimes appears, is apparently near it."

See also Deeds 21, 22 for 'the lordship of Burgageleyth'].

176.

Indenture made on the 5th day of April in the 28th year of Henry VI between William Walshe and Margaret Prendergast his wife on the one part, and John Row on the other, witnesses that William and Margaret have given and granted and to farm let for a term of forty years to the said John his heirs and assigns one messuage in the town of Ross which lies from the King's way called 'Seyntemarystrete' on the south side in length to the land of Roland Den on the north, and in width between the land of Maurice Morgh on the west and that of John Baron on the east. To have and to hold to him and his heirs during the said term rendering yearly to the said William and Margaret and their heirs twelve pence yearly.

April 5, 1450. Seal.

177.

Indenture (in English) made at Dublin on the 28th day of July in the 28th year of Henry VI, between "the right high and mighty prince Richard, Duke of York, Lieutenant of Ireland," and James, Earl of Ormond, witnesses that the Earl is "with-holden and belast" to the Duke for the term of his life to do him service as well in war as in peace, as well in England when he shall happen to be there as in Ireland, to be with him against all other creatures of whatsoever estate, pre-eminence or condition they be next to (saving) the King and his heirs, Kings of England and France. For the which beleving and witholding," the Earl shall take and receive yearly during the term of his life of the Duke 100 marks sterling, to be taken after the tenour and effect of certain letters patent made unto the Earl under the Duke's seal

to that effect. If the Earl does not do service to the Duke as well in England as in Ireland, according to the " with-holding " aforesaid, then these letters patent shall be of no force or virtue.

In witness whereof to one part of these indentures remaining with the Duke the Earl has set his seal.

(Signed) " J. C. Ormond."

July 28, 1450. Earl of Ormond's seal.

178.

Robert Wythe, chaplain, gives and grants to John Hedyan, rector of Knockgraffon, two castles and one mill and one messuage which formerly belonged to Roger de Walle in the town of Fethard, also a castle with lands and meadows, etc., in the town of Ardmayll. To have and to hold to him and his heirs for ever.

Given at Fethard on Monday after the feast of St. Nicholas, Bishop and Confessor, in the 29th year of Henry VI.

December 7, 1450. Seal.

179.

Court held before Richard Prowt, seneschal of James, Earl of Ormond, on Thursday next after St. David's day in the 29th year of Henry VI [March 4, 1451] at Knocktopher.

On which day the seneschal declared that Philip (? Porter), as is said, was seised in an acre of land lying on the east side near the messuage of Thomas Howel in the same town and died seised thereof without heir, therefore the said acre belongs to the chief lord by escheat as land without an heir by inquisition of the following :

Nicholas Howel
David Whyte
Thomas Salter
John Dowle
Maurice McGryffyn
William Magryffyn
John Fleming
John Remown
John Rebok
Thomas Hendok
Richard Morlan
Nicholas Bath
William Fossard
Richard Garward.

(Finding of the jury follows).

" And because the jurors have not their seals at present, the seal of the office of said court and the common seal of the burgesses of Knocktopher is affixed in witness of the above."

March 4, 1451. Common seal of the borough of Knocktopher, fairly complete.

Dorso : A court barron holden in the manor of Knocktoher tempore H. VI.

180.

Indenture (in English) made on Thursday next after the feast of St. Bride in the 30th year of Henry VI between James, Earl of Ormond, and Edmund fitzJamys fitzWilliam Botiller of Dunboyn on one part and Richard fitzThomas Botiller on the other, witnesses that /whereas said Richard had of Edmund fitz-James Botiller the manor of Kiltevenane, to have and to hold to said Richard and his heirs and assigns upon certain conditions in indentures made between the said Edmund and Richard /said Richard by this present writing has given to the Earl and Edmund fitzJamys all the right, possession and estate that said Richard had or has in the manor of Kiltevenane, to have and to hold to the Earl and Edmund fitzJamys, their heirs and assigns. And whenever Edmund fitzThomas or Richard fitzThomas, their heirs or assigns, pay in one day 228 kine, the price of every cow 6*s.* 8*d.*, or the sum thereof in money, then it shall be lawful for Edmund fitzThomas or Richard, their heirs or assigns, to enter upon said manor, and to have possession as they formerly had.

February 2, 1452. Seals of the Earl and Edmund fitzJamys.

181.

Two Deeds.

1) Patrick son of Fulc de la Freyng gives and grants to Edmund son of Richard Botiller the manor of Grage in the parish of Mayne in county Kilkenny and all other messuages, lands, rents, etc., which he has in Kylbyneston, Tyllaghglasse, Brounesplace, Kylrawne, Mayne, Casteldogh and in the whole parish of Donmoyr, to have and to hold to him and his heirs for ever.

May 16, 1452. Seal.

2) Quit-claim by the above (but Brekleyeston is included after Casteldogh).

June 12, 1452. Seal.

182.

James, Earl of Ormond, gives and grants to his dear nephew, Edmund, son of Richard Botiller his brother, for good and laudable service done to him, his manor of Dunmore, together with all kinds of rents, homages and services of free tenants in any way belonging thereto, which manor grantor had of the gift and enfeoffment of John Sweteman and Richard Purcell. To have and to hold to him and the heirs male of his body for ever. And if he die without heir male of his body, then said manor to revert to James and his heirs.

Given at Kilkenny on Monday before the feast of the Nativity of St. John the Baptist in the 30th year of Henry VI.

June 19, 1452. The Earl of Ormond's seal almost perfect.

183.

James, Earl of Ormond and Wiltshire, grants the office of town clerk of Kilkenny to John . . . .

[The deed is faded and the name of the person appointed and the extent of his fee are illegible].

Given at London on the 15th day of (?) November in the 31st year of Henry VI.

Earl's signature.

[? November] 15, 1452. Seal.

184.

Sixteenth century paper copies of deeds to show Daton descent.

" An estate from Robert fitzRed(mund) Daton to Patrick fitzRed(mund) Daton his brother of forty acres of land with their appurtenances with are called Monerothe *in tenemento de Owninge* which estat beares date 31 Henrici sexti."

" Another estate in tayle from Richard fitzPatricke Daton to his sone Patrick fitzRichard Daton of the land of Moynroo dated

xx° *die mensis Feb. anno Dom.* 1533. So as the heyre of this Patricke fitzRichard is to be sought out.

" A copy of an estate in tayle made by William Rothe and Nicholas Knaigh, chaplain, unto Redmund fitzWalter Daton of the lands of which they had in Castletown, Whytchurch, Newtoune, Ballynemeale *alias* Kyllomrry, Newgraige, two acres in Garrynerchy, Kylmedally, Ballyfoyle, Ballyen, Bremill, Rogeristown, Cloghristare, Twor Portenshe (?), Lisclaman, Twor Dowlinge, Cowlerve, Ballybeataghe, Fenockstowne, Tomynstowne and a plot (*plac'*) from Kylteran which estate bears date xx° *die Octobris anno regni Regis Henrici quarti post conquestum Anglie* (blank).

In which estate the revercioun of the lands which Margaret the wife of the said Walter had in dower was likewise past.

31 H. VI."

" Redmund Daton had issue Robert and Redmund. Robert past forty acres with their appurtenances called Mone Rothe *in tenemento de Owning* to his second brother Patrick and his heires. This heire of this Redmund must be sought oute.

" Ouninge, Fanyngystoune, Gortklenrush, Ballyhenebe, Saunderistoune *alias* Ballylander, Lasloyn, Scarnanistoun."

" Redmond Dat(on) in xi (?) Henry 6 had issue Robert and Redmond."

" Grandfather of Sir John Daton.

Richard Daton fitz Patricke had issue Walter Daton fitzRichard.

Walter Daton had issue John Daton fitzWalter.

This Richard Daton promised the keping (*sic*) of his reversion to James Sherlok and left his curse to him if he would give those reversions to anyboddy but to the right heire. This James gave his oon son Pawle Sherlok these evidences by which they by means of these reversions do possess the land."

[1452–3].

185.

Robert son of Redmund Datoun gives and grants to Patrick son of Redmund Datoun, his brother, forty acres of land which

are called " Monrothe " in the tenement of Unynge. To have and to hold to him and his heirs freely, quietly and for ever.

Given at Kylmogally on the 16th day of January in the 31st year of Henry VI.

Witnesses : Sir John O'Brodyr, vicar of Fydon, Richard Datoun and Redmund fitzJohn.

January 16, 1453. Seal.

186.

Indenture (in English) between William ' Milety ' Erchedekyn and Edmund McOdo Erchedekyn on one part and Owne (or : Owine) Makgylpatrik's daughter on the other, witnesses that whereas William and Edmund have granted to said Owne all the land of Curdyysheyes and Kylfane in pledge for a mark, if said Owne survive (*overlyve*) said Edmund, that then she shall have the above land till she be paid twenty-five shillings and if so be that said Edmund shall survive said Owne then he shall have the said land without any payment therefor.

In witness whereof both parties to this indenture have set their seals on the 8th day of February in the 31st year of Henry VI.

February 8, 1453. Seal.

187.

Elena Dongan in her liege viduity gives and grants to Simon Beket, cleric, a messuage in St. Mary's street, which in length lies from the King's way on the north in Ross to Thomas Bennet's orchard on the south, and in width between the vicar's land on the west and that of William Botiller on the east. To have and to hold to him and his heirs for ever.

Witnesses : John Prendyrgast Taylour, then sovereign of Ross, Philip Hyde, reeve, Thomas Brenan, Thomas Bennet, William Butyller, and John Janys.

July 20, 1453. Seal.

188.

Two Deeds.

1) John Troy and Richard son of Robert Troy give and grant to Edmund son of Richard Botiller, his heirs and assigns, all messuages, lands, rents, etc., which they have in Donnovir and

Troyeston in the tenement of Dromdelgyn, in length from the land called " ffargnbrok " to the land of Talbotesynche and in width from the land of Ketyngeston to the river Nore, excepting a fourth part of the wood there. To have and to hold to him and his heirs for ever.

Given on the 2nd day of January in the 32nd year of Henry VI.

Witnesses : Richard Tobyn, Thomas Troy, chaplain, Adam Walshe, cleric, and David Boneys.

January 2, 1454. Two seals.

Dorso : Donnore and Troiston in the tenement of Drumdelgin in county Kilkenny.

2) Power of attorney by the above appointing Thomas Dewrous of Cromoke bailiff for placing Edmund son of Richard Botiller in seisin.

Same date.

189.

Nicholas son of Gilbert Eylward *alias* " Morre " gives and grants to Thomas son of Thomas Whyte one messuage with a garden in the town of Kells, in width between the land of the Prior of Kells on the east side and the land formerly Patrick Coterell's on the west side called " Bollyscroft," and in length from the common street to the said Bollyscroft. To have and to hold to him and his heirs for ever.

Witnesses : John Usmonde, then reeve of Kells, Alexander Beke, Theobald Mareys, Thomas Raggyt and John Venge.

January 3, 1454. Seal.

190.

Petition of some one unnamed [? seneschal of Wexford] to some important person unnamed, asking aid for the county of Wexford against Thomas of Desmond, Edmund Butler, Donal Reagh Kavanagh, etc.

This letter in antiquated English states that the writer has been hard set upon and put in great case by Thomas of Desmond, McGillipatrick, Donal Reagh MacMurrough and others of the

county of Wexford, as well as the chief justice Devereux, who has procured the above to attack him. He proceeds to say that his correspondent has no true men in county Wexford except the " Brennys." Moreover Justice Devereux has prevailed with Thomas of Desmond to be at a Council in Dublin held before Thomas fitzMaurice, deputy-Lieutenant, wherein the said Deputy granted to Thomas forty pounds of the King's fee-farm of Limerick and is about to send Devereux to the King to get a confirmation of this grant and to have the said Thomas made lieutenant. Moreover Devereux and others take fee of Donal Reagh and have conveyed a part of the county of Wexford to Thomas of Desmond and Donal Reagh and have granted to Thomas of Desmond twenty marks to make war upon the writer and the true people of the town of Wexford.

On the dorso is written : " Ye most make iii letres on to the Erle of Willeshyre the other to John Erle of Shrewysbury and Weys and another to my lady [faded : ? Elizabeth] and upon every of thys yowr selle of armys, etc. And asse to the Erle of Wylleshyr ye moste write in ys wrytyng as [faded : ? Earl] of Waterfforde and Lymeryc y praye yow to send [faded] content yow watever ye saylle comaund me, etc."
[*Circa* 1455].

Note.—For the text and explanation of this letter see a paper by the present Editor on the " Viceroyalty of Richard, Duke of York, in Ireland " in the Journal of the Royal Society of Antiquaries, Ireland, December 1932.

" The right reverent and worshipful lord " to whom the letter is addressed may be John, archbishop of Armagh, deputy-Lieutenant for the Earl of Ormond from June 1453 to the end of 1454. It may be an original letter, which, according to the instructions, is to be copied and despatched to three noble persons who were interested in county Wexford and the Butlers. Of these James, fifth Earl of Ormond (1452–1461), had been created Earl of Wiltshire on July 8, 1449, and Lieutenant of Ireland on May 12, 1453, by the influence of the Duke of Somerset. (See " Two chief Governors of Ireland at the same time," by Herbert Wood, in the Journal of the Royal Society of Antiquaries, December, 1928). John Talbot, second Earl of Shrewsbury (1453–1460), was son of the famous John Talbot of the French

wars. His second wife was Elizabeth, daughter of James, fourth Earl of Ormond, and he had by her five sons and two daughters. The title Earl of Waterford came to him from his father, who was so created on July 17, 1446. The latter had a claim to the Lordship of Wexford through his De Valence descent, but this was contested by Lord Grey.

Thomas 'fitz Morice,' Earl of Kildare, is referred to in the letter as deputy-Lieutenant. We must date it as 1455 and associate it with a similar appeal made to parliament, in a letter from the Seneschal of the Liberty of Wexford and the Sovereign of Wexford town, telling how Edmund Butler and seven others of his nation with Donal Reagh McMurrough and other Irish enemies had, with banners displayed, ridden, burned and destroyed the county of Wexford for four days and four nights, (Berry, *Statutes of Ireland*, Henry VI, p. 361).

191.

John son of Walter Spellys gives and grants to Edmund son of Richard Botiller and Gylys his wife two messuages with a croft and twenty acres of arable and four of wood, of which one messuage with a croft lies in the town of Callan, viz. in width between the messuage formerly John Whyte's, chaplain, and that formerly William Beket's on the east and the messuage of Isabella Hurryne and the croft formerly belonging to John Eustace *alias* Sawndyr on the west, and in length from the common street on the north to the common ditch on the south. The other messuage which is called "Selomer bouche' lies between the tenement formerly Richard Horehan's on the south and the King's way on the north; ten acres of the above lie in the same borough; of which four lie in the field called "Vale Asshys"; one and a half lie between the land formerly Robert Graunte's on the south and that formerly Hugh Masoun's on the north; and one and a half lie between the land formerly Thomas Whyte's on the south and that formerly Gilbert Deyer's on the north. Another lies between the land formerly Thomas Mothyll's on the west and that formerly Robert Malgarphe's on the east. Two more lie in the field called 'le Blakerathe' between the Earl of Ormond's land on each side. The other ten acres of arable are in the fields of the town of Illyneston, of which two lie between the stone called 'le

horestoñ ' on the west and the King's way on the east and are called ' le horeston akrys ' ; three lie in ' le Growesffelde ' and two lie in ' le Mucheffelde ' between William Tobyne's land on each side ; three acres lie together in the field called ' le hermytage.' The four acres of wood lie also in the tenement of Illyneston. To have and to hold all the aforesaid messuages, etc., to Edmund and Gylys and their heirs for ever.

April 12, 1455. Seal.

192.

Richard son of Thomas le Botiller grants to Sir Maurice Kent, chaplain, and William (*faded*) his manor of Knocktopher, his manor of Balicarhue, Bachcair (*sic*) in the tenement of Cloheran, and the lordship of Dwnomegan in the counties of Tipperary and Kilkenny. To have and to hold to them and their heirs for ever. year of Henry VI.

November 7, 1455. Seal.

193.

Two Deeds.

1) Philip son and heir of Philip George of Cashel gives and grants to Robert son of Gerald Whit, chaplain, three messuages in Cashel and one garden without it, three and a half acres in the field called ' Gurtyngrene,' two acres in Gorteneboly, and all messuages, lands, rents and tenements of Roscouronan, of which messuages one lies between Thomas Gregory's messuage on the east and that of John son of Thomas de Sancto Johanne on the west side in width, and in length one stretches to the old street of . . . , and the other stretches to the stream running between the burgagery and the outer part (*forensicum*) ; and the other messuage lies between the messuage formerly Richard Walshe's on the east and those of Philip Trowey and Adam Walshe on the west side in width ; and in length one stretches to the high street and the other to the garden of said Richard ; and the other lies without by the garden of St. Nicholas on the south, and the said garden lies in width between ' le wyketstret ' (? le Whytestret) and the garden of John Fleming on the west. To have and to hold to him and his heirs for ever.

November 10, 1455. Seal.

2) Deed of attorney of the above, appointing William Bargy of Cashel to deliver seisin as above.

Same date.

194.

Edmund son of Milo Poer, lord of Rathgeyll, gives and grants to Nicholas Braynock, chaplain, a messuage, garden and three acres of land in Cauntouneston in the lordship of Rathgeyll, to have and to hold to him and his heirs for ever.

Given at Rathgeyll on Thursday next after St. David's day in the 34th year of Henry VI.

March 4, 1456.

195.

" Patrick son of William Duffe Haket to all, greeting.

Know that although Richard son of Thomas le Botiller enfeoffed me in a carucate of land in Bylhyll and Rathkeny in the tenement of Bylkyndon, to have and to hold to me and my heirs, yet I will and grant by these presents that whenever said Richard or his heirs shall pay to me and my heirs 26*s.* 8*d.* and six milch-cows viz. ' Lelyaghes ' and this in one day, then it shall be lawful for Richard and his heirs to enter upon the said carucates and have and enjoy them, notwithstanding this enfeoffment.'

June 11, 1456.

Dorso : A defeasaunce made by Patrick fitzWilliam Duf Haket to Richard fitzThomas Butler of a carue of lande in Bilhill and Rathkeny in the tenement of Bylkyndon.

[The word given for milch-cows above, ' Lelyaghes,' seems to be the Irish word ' Loiligheach '] .

196.

Anastasia daughter of Robert Erchedekne quit-claims to Donald son of Donald O'Wholowhan and his heirs for ever all her right in all messuages and tenements, etc., which she has in Carrhygyn, Loghedare, Carnegele and elsewhere in county Kilkenny.

Witnesses : William Drule, John Philpote, Edmund Graas, Philip Graas, James Drule, William O'Cathyl, serjeant, Sir

Maurice O'Hole, vicar of Kylmanagh, James Tywe, Thomas son of Philip Erchedekyn and Oliver Seynt Legger.

October 21, 1456.

197.

Katherine Roche, daughter and heir of Redmund Roche, lately lord of Rower, in her pure viduity gives and grants to Redmund Roche, son of John Roche, all her manors, lands, tenements, rents and services with meadows, fisheries, weirs, advowsons of churches, etc., which she has in "le Rower" in county Kilkenny. Also the reversion of all lands and tenements, etc., which Avelina, daughter of James Lysagh, her mother, holds for the term of her life as her dowry in the Rower, which after Avelina's death ought to remain to grantor by hereditary right. To have and to hold to him and the heirs male of his body begotten. If he die without heir male so begotten, then remainder on similar terms to William son of Patrick Roche, Gerald son of Patrick Roche, and Gerald son of William Roche. In witness whereof she has had affixed her seal and that of the sovereign of Kilkenny.

Witnesses: Laurence Arlond, Richard Tobyn, Nicholas fitz-Harry and James Walch.

November 6, 1456. Two seals perfect.

198.

Three Deeds.

1) Laurence son of William Arlonde of Thomastown gives and grants to Edmund son of Richard Botiller all messuages, lands, tenements, etc., in 'le Nywhous,' Kylebleyn, Roweston and Dungarvan in Ogenty which he has of the gift and enfeoffment of Robert Dullard of Kilkenny. To have and to hold to him and his heirs for ever.

Given at Thomastown on the 24th day of April in the 35th year of Henry VI.

April 24, 1457.

2) Laurence son of William Arlonde quit-claims to Edmund son of Richard Botiller for ever all actions, claims, etc., which he has or his father and mother had against the same Edmund. Same date.

3) Power of attorney by the above appointing Philip son of Baron Graas his bailiff for placing Edmund son of Richard Botiller in seisin.

April 25, 1457. Seal.

199.

John son of Thomas Botiller quit-claims to Edmund son of Richard Butler and his heirs for ever all his right in Rathenys, Kylmacathill, Ballymaclathan otherwise called 'Manestrelondrode' in county Carlow (*Kahyrll'*) and Typeroldryke with their appurtenances, and also in a ditched tenement (*in tenemento in fossato*) in the tenement of Ratheng' in Jordanstown (*villa Jordani*), which formerly one Paul Botiller, grantor's ancestor, had of the gift and enfeoffment of John son of William Miller (*Molendinarii*); as also in all other lands, tenements, rents and services, meadows, pastures, fisheries, woods and all other profits in the county aforesaid.

In witness whereof he has set his seal.

'Et ut istud factum meum in presenti ac in futuro cunctis apareat evidencius ac credibilius et sine contradiccione a me vel heredibus meis de jure vel de facto imposterum facienda firmum sit et irreprehensibile sigillum officii domini Regis civitatis Waterfordie meo speciali rogato presentibus procuravi meo penes plurimos sigillo existente incognito.'

Given at Waterford on the 24th day of April in the 35th year of Henry VI.

Witnesses: Nicholas Wolstan, mayor of Waterford, John Wadyne, John Sherloke, John Molgane, citizens of Waterford, Richard Lesagh, Richard Comerford, Thomas Croke and Richard Croke.

April 24, 1457. Two seals: one of John Botiller, and one of the King's staple of the city of Waterford (almost perfect).

200.

Tourn of the Sheriff of the Liberty of Tipperary held at C(lonmel ?) on Thursday next after the feast of SS. Philip and James in the 35th year of Henry VI. [May 5, 1457].

Presented by Thomas Lyeghane, serjeant of Iffa, that Margaret de Burgo, sempstress (*textrix*), made an affray on William O'Syhy (rest *faded*).

Dermot O'Slatre, serjeant of Offa, in mercy because he did not return the sheriff's price in his bailiwick (*precium Vic. in balliva sua*).

Thomas Howet of Lysroragh against Edmund Hay, miller, on a plea of trespass. Pledges, Laghyrtaghe Moyle and John Blakerne to answer on . . . before St. Brandon's day.

Other cases follow. The names include Nicholas Braenoke, chaplain, William Duff Marreys, James Brittoun, William fitz-James of Donaghmore, David Caryg Wyte of Clonmell, John Blakerne, Theobald Bylborne.

County court of the Liberty of Tipperary held at Crompeston before George Comyn, sheriff of the Liberty of Tipperary, on Wednesday next after the feast of SS. Peter and Paul. [July 6, 1457].

Dolagh O'Cormyk, serjeant of Slew(ardagh), in mercy because he did not return the sheriff's price in his bailiwick.

John O'Creghane against Richard McGyllegyman and Katherine his wife on a plea of unlawful detention (in margin : *ad com. discontinuatur*).

Presented by L. the serjeant that Dermot O'Bren shed the blood of John O'Corkeran at Cloncollyn. Dermot found guilty of bloodshed and affray.

County court of the Liberty of Tipperary held at Crompestown on Wednesday next before the feast of St. Martin, Bishop, in the above year.

[No cases].

County court of the Liberty of Tipperary held at the same on Wednesday next after St. David's day [March 2, 1457].

Presented by the serjeant that Robert Brahenoke shed the blood of a man (*famuli*) of Morogh O'Carrane at Gragelawane. (Written above line : *culpabilis cornelius crone*).

Presented by the serjeant that Edmund Bloncherd shed the blood of William Duff Bloncherd and that William Duff shed the blood of said Edmund at Mauclerkyston. Guilty.

Presented by the serjeant that Margaret Duff Zoyland shed the blood of Katherine Hale at Colinan and that Katherine shed the blood of Margaret in the same place. Guilty.

John Baret against Rory McDyermode y ghorkeran on a plea of debt. Case to go to a jury. 6*d*. paid in court for leave.

Presented that William Gyttagh O'Lonane shed the blood of Richard Walsch at Ballyboth.

Sheriff's Tourn of the Liberty of Tipperary held at Clonmel on Thursday next after the close of Easter in the 36th year of Henry VI.[April 13, 1458].

Walter de Sancto Johanne against Edmund Bloncherd and Oliver Comyn (made default) on a plea of trespass. Pledge Robert Roth Byford. He has a day to answer. Case to go to a jury on Friday, who say on oath that Edmund Bloncherd is guilty and fix the damages at 15*s*., damages to the court 2*s*. 11*d*.

William McElayny Botiller against Thomas McTayg y Morthe on a plea of trespass. Pledges Philip Walsch and Laghirtagh s(erjeant). To go to a jury. The plaintiff gave for leave 6*d*.

County court of the Liberty of Tipperary held at Crompestown on Wednesday next before the feast of St. John the Baptist in the above year. [June 21, 1458].

There are no pleas in this court.

Presented by . . . , serjeant, that William O'Gorman ' ffulle ' (? fuller) shed the blood of Oyn i Dufgoyn at Barreteston.

Presented . . . that Thomas O'Moryn, labourer, shed the blood of Molaglyn Mor, labourer, at Rathgoll in the hue and cry.

(Six similar cases follow, writing very faded).

Tourn (etc., as above) in the burgagery of Clonmel near Rathronane on Thursday next before St. Luke's day in the 36th year of Henry VI. [October 13, 1457].

(One case faint).

County court of the Liberty of Tipperary at Crompestown on Wednesday next before St. Mark's day in the abovesaid year. [April 19, 1458].

Katherine daughter of John Wyte of Donaghmor against John Wyte of Mawclerkeston on a plea of trespass. Pledge Robert Marreys and L. serjeant. They have a day to answer. Plaintiff gives 6*d*. for leave.

Tourn (as above) held at Crompestown on Monday next before St. Mark's day in the said year.

(No cases).

County court of the Liberty of Tipperary held at Crompestown on Wednesday next after the feast of the Ascension in the said year.

(No cases).

County court of the Liberty of Tipperary held at Crompestown on Wednesday next after Michaelmas in the said year. [October 5, 1457].

Edmund Bloncherd against John Mor Brennagh of Morton on a plea of trespass. Pledge William Duff Bloncherd and L. serjeant. He has a day to answer at next court.

(Four other cases too faded).

May 1457–June 1458.

[This deed is especially interesting as showing the existence of the court known as the Sheriff's ' Tourn and Leet ' (*Turnus vicecomitis*) in medieval Ireland and the nature of its jurisdiction. For a description of the origin and functions of the Tourn see Medley's *Constitutional History of England* (1898, pp. 335-6).

The MS. cartulary of the Monastery of the B.V.M. of Tristernagh in Westmeath, now in Armagh Library, which I formerly examined, contains in latin (p. xxxv) a list of articles to be enquired into on the sheriff's eyre on which he held his tourn. He is to enquire *inter alia* concerning ways and roads closed up (*obturatis*), cases moved in the church courts, persons who hold pleas in their courts which belong to the lord's Liberty (i.e. the Lord of the Liberty of Lochsewdy or Westmeath),viz. of death or maiming of English, or free tenure, gifts received by serjeants for remitting cases, boundaries and mears broken down between

neighbours or a free tenement, keeping watch and ward, false measures of corn and ale, ells and weights of weavers, hue and cry falsely raised, waters impeded and diverted from their right course, thieves taken with their goods and allowed to redeem themselves without judgment, reception of these thieves and others, wardships, marriages and escheats belonging to the Lord concealed, idle vagrants spending in taverns and not having the wherewith to pay ; so with other pleas of the Crown, arson, rape, treasure-trove and forstall, false minters, fraud of millers who exact money as well as toll, malicious breakers of dove-cots, parks maliciously broken and beasts taken away, fisheries fished by theft, coins maliciously and furtively marked, persons proclaimed for felony and outlawed in the Lord's court, who proclaimed them, who should have attached them and did not do so, burglary, and homicide of English killed and buried before view of the Coroners, persons who make false deeds and seals, persons who receive thieves and proclaimed persons, etc].

201.

Seventeenth century copies of three Deeds.

1) Indenture made on the 2nd day of July in the 35th year of Henry VI, between John Sweetman and Robert Roth, merchant of Kilkenny, witnesses that John has granted and to farm let to Robert, his heirs and assigns, eleven acres of arable land in the borough of Kilkenny, to have and to hold for the term of forty-three years, rendering 3*s*. 4*d*. silver.

July 2, 1457.

2) John Sweetman, gentleman burgess of Kilkenny, gives and grants to William Courry, merchant and burgess of the same, that moiety of all arable lands, meadows, etc., of Alris on the other side of the Nore with a mill pond and ' kiddelis,' which is not yet divided between grantor and Robert Purcell, son and heir of Richard Purcell of Dirrlyegh in county Kilkenny, to have and to hold to him and his heirs for ever.

Witnesses : Brother William White, prior of St. John's of Kilkenny, with his confreres, Sir Richard Stackboll, chaplain, Thomas Seys, merchant, and Thomas Londris, notary.

November 10, 1479.

3) (In English). John Tywe, burgess of Knocktopher, son of Patrick, releases to William Courry as above all his claim in all lands, messuages, etc., viz. in the town of Fowkiston in the parish of Howtrath in county Kilkenny, in two messuages in in St. John's street in Kilkenny, two gardens outside St. John's gate, and in a garden in 'le Medoc Hayes' etc., not yet divided between John Sweetman, son and heir of Nicholas Sweetman and Robert son of Richard Purcell of Dirlegh ; as also in all messuages, lands, rents, services, etc., which are contained in an indenture made by John and William Sweetman in favour of said William Courry.

February 10, 1486.

202.

Robert Datown, son of Redmund Datown, formerly lord of Datouneslond, gives and grants to James, son of Edmund le Botyller, the townland (*villam*) called Croanwoyganroge in the lordship of Datouneslond. To have and to hold to him and his heirs for ever of the chief lords of the fee, etc.

September 8, 1457.

[Compare with this deeds 184, 185, 202, 203, 284. Why Robert above describes himself as 'formerly lord of Datouneslond' is not clear ; possibly he had conveyed or meant to convey it all to James fitzRichard Butler].

203.

Indenture (in English) made on the 12th day of September in the 36th year of Henry VI between James the son of Edmund fitzRychard Botyller on one part and Robert Datown, William Datown, Patrick Datown and Richard Datown, the sons of Redmund Datown, late lord of the Datowns, on the other part, witnesses that whereas the said Robert, lord and heir of the Datowns, by the advice of his said brethren has granted and given unto the said James by deed of enfeoffment a place called Croanwoyganroge, to have and to hold for the term of his life, as in said deed of enfeoffment appears, to the effect that the said

James shall maintain, support and help the said Robert, William, Patrick and Richard as far as he can or may against all men that would do them any hurt and suffer no man to charge them with any manner of charges of the country of " rewynours " and yielding " connue " or " bonnes " or any other unlawful charges otherwise than other lords' (*lorden*) and gentlemen's sons have been charged. For the fulfilment of all which the said James binds himself, his heirs, executors and assigns by this present indenture. Also the said Robert, William, Patrick and Richard by this indenture bind themselves, their heirs, executors and assigns that they or any of them will make no estate of fee for a term of years or at will unto any man of such lands, pastures, woods, waters, or any other commodities of which they or any of them are seised and may not themselves occupy and cultivate (*manewyr*), without its being granted by the advice, good counsel and will of the said James.

In witness whereof to these indentures the parties have set their seals.

September 12, 1457.

Compare with this, deed 102 of this volume in which much the same ' Irish exactions ' as those given here are named. ' Rewynours ' would appear to be the same as the ' ravynours ' of that document. ' Connue ' appears again to be the Gaelic ' comhnuidhe ' (residence i.e. quartering, though perhaps ' coinmheadh,' maintenance, billeting, ' coigny,' is intended). ' Bonnes ' is the quartering of ' bonys ' (Gaelic ' buannaidhe ' : hired soldiers) upon the tenantry.

204.

Margaret daughter and heir of William Brahynoc grants to Elicia Brahynoc, her daughter, and her heirs for ever all her lands, messuages, etc., in the lordship of Condineston, and two acres of land in Gorthemore in county Tipperary.

Given at Rathgoll on Monday next after St. Patrick's day in the 37th year of Henry VI.

March 19, 1459.

205.

Two Deeds.

1) Lauland Griffyn and Margaret his wife and Robert Rendell and Joan his wife grant for themselves and their heirs for ever to Edmund son of Richard Botiller all their right in Schortaleston, Dangyndroing, Lissibbill and Raykyllyn and in all the lordship of Schortaleston in county Kilkenny. And because their seals are to many unknown they have procured the seal of the Staple of the city of Waterford to be set to these presents.

Witnesses : Richard Tobyn, Thomas Sherlok, Redmund Rothe.

May 26, 1459. Five seals perfect.

2) Deed of attorney by Rauland (Lauland above) Griffyn and Margaret Skyrmesour his wife and Robert Rendell and Joan Skyrmesour his wife appointing Philip Grace their bailiff for placing Edmund son of Richard Botiller in seisin as above.

Same date. Five seals perfect.

206.

Judgment in the county court of Waterford on a difference between Edmund fitzRichard Butler and Walter Butler of Ross regarding the manor of Donmore.

This document takes the form of a letter in the English of the time beginning : " Syrrys ye schal onderstand that Walter Botiller that was som tym at the Carryg oppenly wranght Edmund fitz Richard Botiller twchyn ye manour of Donmore." It goes on to say that if a tenant-in-tail aliene land that is entailed to another in fee simple, by that alienation the entail is broken, so that the tenant is no more heir and he who is in the entail may not by law enjoy the portion that is alienated but must sue before the justices in the Common Place and procure a remedy by writ of " formedon." Walter Botiller of Ross, being in possession of the manor of Donmore in the county of Waterford as tenant in tail, made an alienation to Edmund fitzRichard Botiller in fee simple. This by law broke the entail of the said manor. Walter then claimed the said manor by entail, not suing by " formedon " nor having any entail to show, nor any charter or other deed,

but only his naked word, and so entered and took seisin in that manor against the law, and so openly wronged the said Edmund. The latter may therefore recover his seisin of that manor with all his damages by assize of Novel Disseisin. And though the disseisin was openly known and published in the counties of Waterford, Kilkenny, Tipperary and Wexford yet there was no session to try the disseisin. The judges are to openly and boldly declare that the said Edmund is to receive seisin of the manor aforesaid as he had it before, and that inquest shall be made as to his damages. And after possession is granted to Edmund, if Walter have any rightful title to plead for the said manor he shall show it, and Edmund shall obey him humbly like any simple man in the country and answer as the law wills and be bound in all points as the law shall direct.

[? *Circa* 1460.]

[This appears to be an order from the court of the Common Place in Dublin addressed to the judges of assize or other magistrates in the county Waterford, touching a dispute between Walter Botiller of New Ross and Edmund fitz Richard Botiller. Walter appears to have broken the entail of the manor of Dunmore by an alienation to Edmund and then to have tried to recover it by force. Edmund was the famous Edmund MacRichard, nephew of James, fourth Earl of Ormond. He died on June 13, 1464 and therefore this undated document must be placed before that event. But for the precise year there is no evidence. Edmund being a great man is here pointedly requested at the end of the letter to obey the law like any common subject.] See Deed 182.

207.

Letter of William Downyll, burgess of ' Villa o payn ' [Paynestown], stating that he has placed James Troy in full seisin of an half-acre of land situated in the field called ' le Gortnusk,' in length from Richard Holyng's land and that of William Whytt, and in width from the same Richard's land and that formerly John Bared's.

[? *Circa* 1460.]

208.

Robert Weston, son of William Weston, " flochier," gives and grants to William his father a messuage in the town of Kilkenny and nineteen acres of land in Bodcolane, which in length is from the highway leading to St. Patrick's gate to the orchard of John Archer, and in width between John Wale's land on one side and that of St. Mary's on the other. The nineteen acres are in length between the land of Patrick Sleger and ' lez ysvay ' and in width between the said Patrick's land and the Bishop's land. To have and to hold to him and his heirs for ever.

Given at Kilkenny on the eve of Easter in the year MCCCCLX.

April 12, 1460.

209.

Richard Felan, chaplain, gives and grants to Patrick and Nicholas de Launde all lands and tenements in Kilmanan, Aghcoyne, Aghcanagh, Ballysuncyn and Tomleyston, with a rabbit-warren near the monastery of Leys, eighty acres of arable with a rabbit-warren at Dungarvan near Tillaghtyrrine, Schepehouse and Alrenewdirre (?), Kapagh, a great park near Coulysyll with fifteen acres between the two waters (rivers), and eighty acres near Knokinryder near Rosconyll, which grantor had of the gift and enfeoffment of William de Laund, lord of Ketyngeston.

Given at Kilkenny on the 8th day of October in the 40th [*sic*] year of Henry VI.

October 8, 1461.

210.

John Walche of Ross, tailor (*cissor*), grants to Thomas son of William Benet and his heirs all his claim in one messuage in the town of Ross.

Given at Ross on the 10th day of January in the 1st year of Edward IV.

January 10, 1462.

211.

Letters patent of John, Earl of Ormond, appointing Edmund fitz Richard le Botiller his deputy and principal governor for his lands in Ireland.

"To all and singular faithful Christian men, especially our kinsmen, friends and servants to whose notice these presents shall come, John le Botiller, Earl of Ormond, and Lord of the Liberty of Tipperary, greeting. Know that we have appointed and ordained our dear cousin Edmund son of Richard le Botiller our deputy and principal governor of all our lordship and lands, manors, properties (*prediorum*), and tenements in the said county and elsewhere in Ireland. Giving and granting him all our power and authority in all these lordships, etc., as belonging to us, according to the form which he had from James, our father. To have and to hold the said governance in our absence as long as it shall please us. We will also that all our kinsmen and friends, retainers (*familiares*) and servants (*servientes*) shall be obedient and intendent to the above Edmund in our absence as they would be to us. And if any controversy, which God forbid, arise between our kinsmen we will and as far as in us lies, command under pain of our indignation that they submit themselves and the points of controversy to the judgment, arbitration and ordinance of the Archbishop of Cashel and the Bishop of Ossory, to the extinction of all malice between them according to the discretion of the same.

In witness whereof we have set our seal to these presents.

Given at Kilkenny on the last day but one of January in the year MCCCCLXIII and in the 40th [*sic*] year of Henry VI."

(Signed) 'Ormond.'

January 30, 1462. Seal of the Earl.

[This important deed, which to my knowledge has never been printed, puts the deputyship of the Ormond earldom into the hands of Edmund, head of the junior branch of the Butlers, of Polestown. James, fifth Earl of Ormond, and Earl of Wiltshire, fought on the Lancastrian side at Towton, was taken and executed later at Newcastle. In November in the same year, 1461, at the Parliament of Westminster he and his two brothers

John and Thomas were attainted; and in October in the next year an Irish Parliament attainted them also with the junior Butlers. John however landed in Ireland and raised a Lancastrian force but this was defeated by Thomas, Earl of Desmond, at Pilltown (1462). The above deed was made by Earl John on this occasion while he was in Ireland. We note that in it he does not recognise Edward IV as King.

After this attempt of 1462 John spent the rest of his life in England and died in 1477. His brother Thomas succeeded and lived till 1515. The attainders of the Butlers of Polestown were reversed in the Irish Parliament in 1465 and 1468, and that of Earl John himself in July 1475. Edmund fitz (or ' Mac ') Richard died June 13, 1464, and his son James took his place as hereditary deputy for the Earl of Ormond in Ireland. It appears from the deed that the fourth Earl who died in 1452, had already appointed Edmund as his deputy in Ireland].

212.

Two Deeds.

1) John Dene of Thomastown, gentleman, quit-claims to Theobald son of James Butler half the lordship of Kilcron in county Kilkenny. To have and to hold to him and his heirs for ever.

August 6, 1462.

2) Power of attorney by the above appointing Peter son of William Gall his bailiff to place Theobald Butler in seisin.

Same date.

213.

Inspeximus in 1637 of an Act reversing the Attainder of John, Earl of Ormond.

Inspeximus by Charles I of the enrolment of an act of parliament in Dublin held on Friday next before St. Margaret's day in the fifteenth year of Edward IV (July 21, 1475) before William, bishop of Meath, deputy for George, Duke of Clarence, then Lieutenant, and also of the rolls of the Chancery of Ireland for the same year, the tenour of which is as follows.

" Item, at the prayer of John Ormond, knight, otherwise called John Boteler, brother and heir of James, lately Earl of Wiltshire and Ormond, that whereas, by an act and ordinance made in a parliament held at Dublin on the Friday next before the feast of Saint Luke in the second year of the reign, [October 15, 1462], before Lord Roland fitz Eustace, knight, Lord of Portlester, then deputy for George Duke of Clarence, lieutenant for our lord the King in Ireland, for divers causes more fully set forth in the act, it was ordained that the said Earl of Ormond should be attainted as an enemy of our lord the King and forfeit all his services, lands, rents and tenements with their appurtenances of which he was seized at that time or any other man to his use | and whereas after the establishment of the same act and ordinance it pleased our said sovereign lord the King of his grace to give a general pardon to the said John Ormond for all such causes up to the time when the said attainder was ordained, and further of his favourable and especial grace commanded and received the said John Ormond to attend on his most royal person in his voyage and passage to his realm of France | it is enacted and established by authority of this said parliament that the said act of attainder, enacted as aforesaid as well against the said James, lately Earl of Wiltshire and Ormond, brother of the said John Ormond, as against the said John Ormond otherwise John Bottiller, brother and heir to the said James, and their heirs, be revoked, annulled, and repealed and by force of this present act and ordinance be made void and of none effect in law. And whereas the said John Ormond, as brother and heir of the said James, and the heirs, assigns, and attorneys of the said John, have leave to enter upon and take possession of all the issues, lands, tenements, rents, reversions, suits and advowsons with all their appurtenances in this land of Ireland of which the said James lately Earl of Wiltshire and Ormond was seized ; to have and to hold to the said John and his heirs with the estate, name and dignity according as by right and title of his ancestors, and to receive all the issues, profits, rents and revenues coming yearly from the said lands etc., to the use and profit of the said John his heirs and assigns for ever, without hindrance of our lord the King, his heirs, or his officers and ministers ; any act, ordinance or statute to the contrary in any parliament or parliaments, any gift or gifts, grant or grants, alienation or alienations, to the contrary, notwithstanding.

Provided nevertheless that this act do not extend or be prejudicial to Thomas fitz Moris, Earl of Kildare, in the matter of these or any issues, lands, tenements, rents, reversions, services, or possessions which are his proper inheritance nor of any other his issues, lands, tenements, rents, reversions, services or possessions ; that is to say, the manors of Kildare, Maynoth, le Carten and le Court de Carten, Rathmore, Lucan, Kildroght, Arst, Geyshell, Ofaly, and all other lands, tenements, rents, customs, services, with their appurtenances, which belong to the ancient inheritance of the said Earl of Kildare. Provided also that the said act be not prejudicial to John Cornewalsh, knight, in the matter of any grant made to him by the said James Earl of Ormond, father to the said John Ormond, by whatsoever name the said John Cornwalsh is called in the same grant."

Inspeximus at the request of Richard Osbaldeston, Attorney-general for Ireland.

Teste Thomas, Earl of Wentworth, on the 27th day of July, 1637.

October 15, 1462.
July 2, 1475.
July 27, 1637.

Dorso : An act of parliament made in Ireland anno 15 Ed. IV. being a former attainder of James Earl of Ormond and Woolshire by an act made anno 2 Ed. IV. annulled and made void. The like was made in England.

[This inspeximus of Charles I repeats the French of the original document, which precedes it here, with the usual latin preamble. It is here translated into English. See Deeds 212, 214, 243].

214.

Inspeximus by Charles I of an enrolment of an act of Parliament passed at Dublin on Friday next before St. Luke's day in the second year of Edward IV [October 15, 1462], before Rowland fitzEustace, knight, Lord of Portlester, Deputy of George, Duke of Clarence, Lieutenant of Ireland, enrolled in our Chancery, etc. (This act, after reciting the act of Attainder against Henry, Duke of Somerset, Henry, Duke of Exeter, John, Lord Rosse, James, Earl of Wiltshire and Ormond, John of Ormond and Thomas

Botiller passed at a parliament at Westminster on the 4th day of November in the 1st year of Edward IV, proceeds to attaint John of Ormond, and the junior Butlers, viz. Esmond son of Richard Botiller, Esmond son of Piers Botiller, and Piers son of James Botiller [*see* Berry, *Statute Rolls of Ireland*, Ed. IV, pp. 25–29]. Provided always that this act be not prejudicial to Christopher Plunkett, knight, regarding any grant made to him by James Botiller, Earl of Ormond, of five marks of rent in Thomastown and Betaghstoun which the said James gave to Christopher for the manor of Carton).

'We however have thought fit to exemplify this enrolment at the request of Richard Osbaldeston, attorney-general of our Kingdom of Ireland.

Teste our dear cousin and counsellor, Thomas, Viscount Wentworth, Deputy-general of our Kingdom of Ireland, at Dublin on the 27th day of July in the 13th year of our reign.'

Wandesford, Master of the Rolls.

October 15, 1462.
July 27, 1637.

215.

William son of Clement Botiller of Ross grants to Thomas son of William Benet and his heirs all his claim in one messuage in the town of Ross.

Given at Ross on Monday after the Epiphany in the year 1462.

January 10, 1463.

216.

Notarial deed dated March 26, 1462, and made in the dwelling house (*in domo habitacionis*) of John Kilbery, burgess of Kilkenny, to the effect that in the presence of the notary and other witnesses Thomas Kilbery, brother (*germanus*) of said John, lying in the bed of sickness, made his last will and testament as follows.

"First, I bequeath my soul to Almighty God and my body to be buried in the house of the Friars Minor of Kilkenny in the chapel before the image of St. Francis. Also I leave to William Kilbery my son all my movable goods now in England. Also to John Kilbery, my brother, all lands and tenements which John White, son and heir of Henry White, had which were formerly

entailed to Isabella White and Nicholyn White, daughters of John White son of Henry White, and afterwards to Robert Kilbery my father, and which now by descent belong to me, my heirs and assigns for ever. Also I leave to said John Kilbery, my brother, all the lands and tenements which belonged to William Kilbery and Philip Kilbery, sons and heirs of abovesaid Thomas Kilbery, which were entailed to said Robert, my father, and his heirs. Also know all present and to come that Nicholas Brisebon had two daughters ; of whom one had a son called John Lombard of Waterford ; the other had a son called Philip Kilbery, which Philip was a stewardwith Thomas le Botiller, Prior of Kilmainham, and when I was a boy, following said Philip at Waterford, I crossed with him to the house of the said John Lombard, which house belonged to him in virtue of his mother, daughter of said Nicholas Brisebon ; and the above Philip as is said, was son of the other daughter of Nicholas, and then the same Philip intimated to me that if John Lombard died without heir of his body then that house with all its lands and tenements which belonged to said Nicholas Brisbon in Waterford, Kilkenny and Rosponte and elsewhere in Ireland ought to belong to himself and his heirs male by law of heritage and if he, Philip, died without heir male of his body then all such lands and tenements ought to remain to Robert Kilbery, my father, and his heirs for ever. And because I am the lawful heir of said Robert Kilbery, therefore I release all my right and claim to all such lands, etc., to John Kilbery, my brother, and bequeath them to him and his heirs with their reversion and appurtenances and all other lands and tenements deriving from my grandfather and also from Robert my father in hereditary right. I leave to the same John Kilbery my brother on condition that they shall not be alienated from our nation (*nacione*).

Also I leave in England with my special friend Sir David Brenan, rector of Dirrame, certain entails (*talias*) of said lands and will on condition that such letters of entail shall be delivered to said John Kilbery my brother. Also that John Whitside, burgess of the said town of Kilkenny, shall be my attorney, to place the said John Kilbery my brother in full and peaceful possession of such lands and tenements. In witness whereof I have set my seal to these presents in the year in which Thomas Schirelok was sovereign and Geoffrey Rowe was reeve of the said town of

Kilkenny, there being present Sir Patrick Callan, chaplain, my confessor, Master Thomas Loundres, public notary, John Whitside, William de la harn, burgess, and John Stakeboll."

Declaration and sign of the notary, Thomas Loundres, clerk of Limerick diocese.

David, by divine and apostolic permission Bishop of Ossory, at the request of John Kilbery, appearing before him on the last day but one of May in the year 1467, approves and confirms the above testament under his seal.

March 26, 1463. Seal of the Bishop of Ossory.

(Added at foot). Mem. quod continetur in rotulis antiquis dom. Episcopi Ossorien' ville hibernice quod heredes Philippi Kilberi pro terris quondam Nicholai Brisebon—iiiis. xi*d.* *ob.* tenetur ad terminum.

217.

Robert Boyton, reeve of the town of Cashel, and the community of the same give and grant to William Bary and William Weyton a tenement in the burgagery of the same, in width between the lands formerly William Laynach's on the east and those of Philip Wall on the west and in length one end (*caput*) extends to the old street and another to the stream called 'Madoch.' To have and to hold to them for the term of their lives. After them remainder to Donal O'Spelayn and his heirs and assigns paying yearly to the parish church of St. John the Baptist at Cashel 11*d.* per annum.

Given at Cashel on Monday before Michaelmas in the year 1463. September 26, 1463.

218.

Rental of Lord John Botiller, Earl of Ormond, received by James Botiller from Michaelmas to Michaelmas [year illegible].

Rents of Killale, Cappaghedine, Balilayne, Rosmore, Dirrynesouke, etc. Total 11*l.* 2*s.*

Kilcolme near Knocktopher, Kilgrollane, Illyd, Polrothan, etc. Total 12*l.* 9*s.*

Rentals of the towns of Knocktopher and Carrick follow with other places.

Total of all the above rents 55*l.* 14*s.*

The date would appear to be *circa* 1464.

219.

Rental of the Earl of Ormond in county Kilkenny received by James Botiller from Michaelmas term in the 4th year of Edward IV. [Two skins of two feet long, written on both sides].

Irraght and Hill de Callan, Killale, Rosmore, Boteston, Clontobrit, Balydowill, etc. (rents stated).

Kilcolme near Knocktopher, Kilgrellane, Lesterlyn, Grennagh, Balenenyrlagh, Kilcrone, Balisalagh, Clogagh, Polrothan, Fidown, Tynemyle, etc.

Parcels received by Walter Glerne.

Knocktopher, Kilkerill, Lesmaktayg, Dernehench, Jerpoint, Balicoyn, Gorsagord, Thomastown, etc.

Total 9*l.* 5*s.* 7*d.*

Custody of lands of John son and heir of Redmund Rothe at Dernehench ; also in Odaa in the hand of Auly O'Bolgire.

Hundred (court) held at Knocktopher on Saturday next after the feast of St. Peter *ad Vincula* before William White, reeve.

(A few cases).

Court (of the manor) of Knocktopher on Thursday next after All Saints in the 14th year of Edward IV (1474).

Other meetings of the court are recorded, with names of suitors, in the 14th and 15th years of Edward IV. Usual cases of bloodshed, debts, unlawful detention, etc. Irish names are numerous.

[1464].

220.

Rental of the burgage of the town of Knocktopher, also of Jerpoint and Callan.

Sum of total 5*l.* 9*s.* $4\frac{3}{4}$*d.*

Also assignments made to William Butler of Ross and other persons.

[1464].

[Skin is two feet long, written on both sides. Dorso very faded].

221.

Petition of Richard, son of Thomas le Botiller, knight, to John, archbishop of Cashel, as to the vicariate of the parish church of St. Nicholas of Knockgraffon in Cashel diocese, now vacant and of right belonging to Richard as patron, which he has presented to Dermot O'Kaan, chaplain, of Killaloe diocese, asking the bishop to ordain Dermot to the same.

Given at Knockgraffon on the 20th day of June in the year, MCCCCLXIV.

June 20, 1464.

222.

Rental of Turvey (in English, modernized).

" The lordship of Turvey in receipt of penny rent by the year this day without all manner of perquisites that pertain thereto

103*l.*

Item the lordship of Blackcastle in Meath in receipt of penny rent by the year this day without all manner of perquisites that pertain thereto

40*l.*

Item the lordship of Oghteryne in penny rents without that your lordship were present among them without all manner of perquisites

100*l.*

Item the lordship of Oghterard and Castellwarnyng in the receipt of penny rent without that your lordship were present among them without all manner of perquisites

40 marks.

Total IIII c marks and 3*l.*

Item that your lordship be remembered for a private seal from the King unto the Earl of Kildare, Chancellor, Treasurer, and to all the King's Council in Ireland for your lordship of Turvey.

Item another private seal from my lord of Clarence unto them for the same.

Also two private seals in likewise unto them aforesaid for your prize wines.

Also that you get a special writing from Sir John Pilkington for Turvey."

[*Circa* 1465].

NOTE.—The dating of this deed is uncertain. In a parliament held before Thomas, Earl of Desmond, in 1465, royal letters patent are confirmed which grant to our beloved cousin Gerald fitzGerald, esquire, the manors of Turvey, Rush and Balscadan for life. George, Duke of Clarence, who is mentioned in this deed, was then Lieutenant of Ireland. This would seem to be the date of the deed.

223.

Margaret Faunt, sister and heir of Thomas Faunt, chaplain, in her lawful viduity by consent of Patrick Stafford, son of Maurice Stafford and Margaret Legat, appoints Robert Herford, cleric, and Thomas Troy her attorneys for placing the vicars of the Common Hall (*communis aule*) of Kilkenny in full seisin of all messuages, lands, meadows, etc., which she has in Balyfennon, Lisdonyng, Keppaghmore, Kylbrenyng and Kylmabol. To have and to hold to the said vicars and their successors for ever.

January 10, 1465. Seal.

224.

Tourn of the Sheriff of the Liberty of Tipperary held on Monday next after the close of Easter in the 5th year of Edward IV.

Maurice Grete against Thomas fitzHenry Moryegyrte on a plea of trespass by pledge of John Fyn O'Chaheryn. The defendant says that he is guilty in nothing. So a jury is called, who say that the plaintiff should recover a horse to damage of 3*s.* 4*d.*; damages of court 2*s.* 2*d.* Defendant in mercy.

Peter Londres against Shane McDonyll yChervy (O'Carroll) and Cornele McUllyum yCharrard on a plea of trespass by pledge of Maurice Duff O'Chelle.

(Other cases follow of a similar nature, bloodshed, debt, etc. Names are Robert Brahenoke, Peter Gryete, John Melagh, Walter de Sancto Johanne, William McDonghe, Thomas Pollard).

April, 1465.

225.

Indenture made at Ross on the 8th day of August in the 5th year of Edward IV between Margaret Prendergast, widow, and Thomas Don *alias* Walsch, witnesses that Margaret has given to said Thomas one messuage in the town of Ross.

August 8, 1465.

226.

Notarial deed publishing a judgment by David, bishop of Ossory, with regard to the marriage of James Butler and Sabina Kavanagh.

David, bishop of Ossory, specially deputed by the Holy see to deal with the case, recites a Papal bull of Paul II on the matter which he has received at his manor of Insnak in Ossory on the 24th day of August in the year 1465 on the part of James Butler and Sabina Kavanagh. The papal bull recites the petition of James Butler and Sabina his wife with regard to the irregular marriage contracted between them and the wars and troubles that had arisen between the two families and their peoples on account of it, and repeats a papal absolution upon the matter given by Pius II, predecessor to Paul II, dated the 13th of the Kalends of August in the 4th year of his pontificate. [July 20, 1462]. This is confirmed by Paul II on the 16th of the Kalends of October in the year 1464.[September 16, 1464].

The Bishop now promulgates the bull with his final judgment on the matter. The latin text in full follows and explains the case.

August 24, 1465.

" Universis christi fidelibus presencium literarum continenciam visuris seu audituris ac illi vel illis quem seu quos infrascriptum tangit negocium sive tangere poterit quomodo licet in futurum David permissione divina et Apostolice sedis gracia episcopus Ossorien' ac ad infrascripta executor unicus a sede apostolica specialiter deputatus salutem et sinceram in domino caritatem ac presentibus fidem adhibere indubiam literas sanctissimi in Christo patris ac domini nostri domini Pauli digna Dei providencia sacrosancte Romane ac universalis ecclesie summi pontificis ii eius vera bulla plumbea cum cordula canapei more Romane Curie inpendente bullatas sanas et integras non viciatas non cancellatas nec in aliqua suarum parte suspectas sed omni prorsus vicio et suspeccione carentes ut prima facie nobis apparuit vicesima quarta die mensis Augusti anno domini millessimo quadringentesimo sexagesimo quinto apud manerium nostrum de Insnak nostre Ossor' diocesis per partem Jacobi Botiller filii Edmundi et Sabine Kevanagh coniugum nobis presentatas cum qua decuit reverencia recepisse noveritis tenorem qui sequitur continentes.

' Paulus episcopus servus servorum Dei venerabili fratri Episcopo Ossoriensi salutem et apostolicam benediccionem racioni congruit ac convenit equitati ut ea que de Romani pontificis gracia processerunt licet eius superveniente obitu litere apostolice super illis confecte non fuerunt suum consequantur effectum /dudum siquidem felicis recordacionis Pio pape II. predecessori nostro pro parte Jacobi le Botiller laici tunc et Sawine Keywanagh mulieris Leghlin' diocesis oblate peticionis series continebat /quod olim ipsi pro sedandis scandalis et guerrarum turbinibus ex quibus plurimarum eciam utriusque sexus personarum crudelia homicidia rapine incendia depopulaciones spolia tam secularium quam ecclesiasticarum personarum et eciam ecclesiarum aliaque infinita plurima mala narratu difficilia perpetrata fuerant /que inter eorumdem Jacobi et Sawine parentes qui nobiles et in illis partibus domini temporales existunt viguerant non ignorantes sese secundo et tercio ac quarto simplici affinitatis gradibus fore coniunctos matrimonium inter se per verba legitime de presenti contraxerant illudque carnali copula consummaverant et prolem procreaverant /et cum prefati Jacobus et Sawina in eodem sic contracto matrimonio remanere nequirent dispensacione super hoc apostolica non obtenta et si divorcium inter eos fieret absque dubio prioribus peiora mala subsecuta

forent /pro parte dictorum Jacobi et Sawine ac parentum et amicorum suorum nec non universorum utriusque sexus hominum illius patrie eidem predecessori supplicato vocis de absolucionis beneficio ab excommunicacionis sentencia quam propter premissa incurrisse noscebantur et oportune dispensacionis gracia providere de benignitate apostolica dubitaretur idem predecessor ex premissis et certis aliis sibi expositis causis huiusmodi supplicacionibus inclinatus voluit et concessit die videlicet tercio decimo Kal. Augusti pontificatus sui anno quarto venerabili fratri nostro Episcopo Leghlin' dari in mandatis quatenus prefatos Jacobum et Sawinam si hoc humiliter petiisent ab eadem excommunicacionis sentencia auctoritate apostolica ea vice dumtaxat absolveret in forma ecclesie consueta iniunctis eis inter alia sub virtute juramenti per eos prestandi quod de cetero talia non committant nec ea facientibus preberent auxilium consilium vel favorem et pro modo culpe penitencia salutari et aliis que de jure forent iniungenda et demum si expediens sibi videretur quod huiusmodi dispensacio fieret dictaque Sawina propter hoc rapta non fuisset cum eisdem Jacobo et Sawina ipsis tamen prius ad tempus de quo sibi videretur ab invicem separatis et impedimento quod ex premissis proveniebat non obstante matrimonium inter se de novo libere contrahere et in eo postquam contractum fuisset licite remanere valerent eadem auctoritate dispensaret prolem susceptam huiusmodi et suscipiendam legitimam decernendo ne autem de voluntate et concessione huiusmodi pro eo quod super illis dicti predecessoris litere eius superveniente obitu confecte non fuerunt quomodo libet hesitetur dictique Jacobus et Sawina illarum frustrentur effectu / volentes et eadem auctoritate decernentes quod voluntas et concessio predecessoris huiusmodi a dicto die tercio decimo Kal. Augusti valeant plenamque roboris firmitatem obtineant perinde ac si super illis dicti predecessoris littere sub eiusdem diei dato confecte fuissent prout superius enarratur quodque presentes littere ad probandam plene voluntatem et concessionem predictas ubique sufficiant nec ad id probacionis alterius amminiculum requiratur fraternitati tue de qua in hiis et aliis specialiter (*or* : spiritualiter) in domino fiduciam obtinemus cum dilectus filius Milon electus Leghlin' cui hoc casu scribendum esset presencialiter agat in remotis per apostolica scripta committimus et mandamus quatinus prefatos Jacobum et Sawinam si hoc humiliter petierint ab excommunicacionis sentencia huiusmodi ; iuxta voluntatem et

concessionem predecessoris huiusmodi absolvas in forma ecclesie consueta et demum cum eisdem Jacobo et Sawina si expediens tibi videatur quod huiusmodi dispensacio fiat super quo tuam conscienciam oneramus cum eisdem Jacobo et Sawina ut matrimonium inter se de novo libere contrahere et in eo postquam contractum fuerit licite remanere valeant iuxta voluntatem et concessionem antedictas eadem auctoritate dispenses prolem susceptam huiusmodi et suscipiendam legitimam decernendo.

Datum Rome apud Sanctum Petrum anno incarnacionis dominice millessimo quadringentesimo sexagesimo quarto sexto decimo Kal. Octobris pontificatus nostri anno primo.'

Post quarum quidem litterarum apostolicarum presentacionem et recepcionem fuimus per prefatos Jacobum et Sawinam in ipsis litteris nominatos debita cum instancia requisiti quatenus ad debitam execucionem dictarum litterarum apostolicarum ac in eisdem contentorum procedere dignaremur Nos igitur David Episcopus et executor supradictus considerantes huiusmodi peticionem fore justam et rei consonam volentes eciam mandatum apostolicum nobis specialiter directum reverenter exequi ut tenemur ac saluti animarum nostrorum subditorum in quantum cum Deo possimus providere testes sufficientes et ydoneos super causa impedimenti affinitatis ac aliis in litteris apostolicis contentis iuratis recepimus et diligenter examinavimus. Et quia invenimus relata in eisdem fuisse et esse vera ipsos Jacobum et Sawinam a reatu per ipsos commisso et sentenciam excommunicacionis quam propter premissa incurrerunt absolucionem humiliter petentes auctoritate apostolica nobis commissa in forma ecclesie consueta absolvimus penitenciamque salutarem pro modo culpe et alia que de jure fuerunt iniungenda iniunximus inter cetera vero sub virtute corporalis juramenti per ipsos prestiti sibi assignavimus quod de cetero talia committere non presumant nec ea facientibus prebeant auxilium consilium vel favorem. Et quia plene intelleximus prout a notabilibus et fidedignis personis tunc reperuimus quod ex causis in litteris apostolicis expressatis huiusmodi dispensacio omnino fuerat necessaria ac dicta Sawina propter hoc rapta non fuit cum eisdem Jacobo et Sawina ipsis tamen prius ad congruum tempus per nos sentencialiter separatos et impedimento quod ex premissis proveniebat non obstante matrimonium inter se de novo libere contrahere et in eo postquam contractum fuerat licite remanere valerent eadem auctoritate

dispensavimus ac serie presencium dispensamus prolem eciam susceptam huiusmodi et suscipiendam legitimam fore decrevimus et decernimus per presentes et ne hesitandi scrupulus super huiusmodi dispensacione rite facta aliquibus inposterum oriatur premissa omnia et singula omnibus quorum interest vel interesse poterit quomodo licet in futurum innotescemus serieque presencium notificamus et declaramus.

In quorum omnium et singulorum fidem et testimonium premissorum presentem nostrum processum seu presens publicum instrumentum processum huiusmodi in se continens per notarium publicum nostrum subscriptum in hac parte scribam subscribi signari et publicari mandavimus ad perpetuam rei memoriam nostrique sigilli fecimus appencione communiri. Acta sunt hec prout suprascribuntur et recitantur sub anno die et loco suprascriptis presentibus tunc ibidem honestis et circumspectis viris magistro Thoma Michell officiale Curie Ossorien' dominis Thoma Troy canonico dicte ecclesie Ossorien ' Dermicio Clery capellano Jacobo Haket et Henrico Payn secularibus ac multis aliis testibus ad premissa vocatis specialiter et rogatis."

Notarial sign and declaration of Thomas Loundres of Limerick diocese, notary by apostolic and imperial authority.

[Curious description in dorso in 16th century hand : " proving the bastardy of the sept of the Morghoes."]

227.

John Blakborne, reeve of the town of Lysroragh, and the community of the same give and grant to Thomas son of David Howet ten perches of land in width and sixteen in length of the common street of Lysroragh on the south-west part of the cemetery of the same town, for making a garden there, to have and to hold to him and his heirs for ever. Rendering yearly therefor one red rose. And because their seal is to many unknown they have procured the seal of the town of Clonmel to be affixed to these presents.

October 20, 1465. Seal of the town of Clonmel perfect.

228.

Patrick fitzJone of Correston appoints Adam Walsh and Richard Langton, clerics, his attorneys for placing the vicars of the Common Hall of the college of the cathedral church of St. Canice (*communis aule collegii ecclesie cathedralis Sancti Canici*) in full seisin of the manor of Correston and the manor of Hylton, also in Kilbrenyng, together with the wood called Killaghyn, and in all other lands, messuages, etc., wherever they are in county Kilkenny.

January 15, 1466. Seal.

229.

Letters patent of John, Earl of Ormond, appointing James son of Edmund le Botiller his deputy in Ireland.

The Earl gives and grants to his dear cousin James son of Edmund fitzRichard le Botiller the custody and governance of all his lands, castles, manors and tenements, as also power to act for him on all matters touching him and his heirs in counties Kilkenny, Tipperary, Waterford, Wexford, Carlow and elsewhere in Ireland. The Earl's officers, servants and tenants are ordered to be intendent to him.

Given on the 17th day of August in the . . . year of Henry VI.

(Signed) 'Ormond.'

August 17, 14(? 64, 65 or 66). The Earl's seal.

[This deed is much faded and after 'quadringentesimo,' the rest of the dating is uncertain. Compare this deed with number 211 appointing Edmund fitzRichard deputy and governor for the Earl on January 30, 1462. The office is now assigned to Edmund's son James. Edmund himself died in June, 1464. Henry VI is assumed to be King, whereas in fact he had been deposed in March 4, 1461, in the 39th year. Carte (*Life of James, Duke of Ormond*) does not quote this deed or that of January 1462, but says that on October 12, 1477, (?) John, Earl of Ormond, setting out for the Holy Land appointed James son of Edmund Butler his attorney and deputy in all cases concerning him and his lands and jurisdictions in Ireland].

230.

Letters of denization granted to Sawe (Sadhbh) Kavanagh, wife of James son of Edmund fitzRichard Butler.

Carte (*Life of James, Duke of Ormond*, 1786, p. lxv) describes this deed as follows :

" That she and all the issues between them begotten and to be begotten, be of a free state and condition, and that they be free and acquitted of and from all Irish servitude ; and that they may use and enjoy the English laws in the same manner as Englishmen within the said land do use and enjoy the same ; and that they do answer and be answered unto in all courts whatsoever of us, our heirs and successors, and may acquire and purchase lands, enjoy the same, be promoted to ecclesiastical benefices and enjoy the same as Englishmen in the said land do, have and enjoy them, notwithstanding any Irish condition or custom, or any statutes, acts, ordinances or privileges to the contrary thereof in former times had or used.

Teste Thomas, Earl of Desmond, deputy of George, Duke of Clarence, at Trim, May 20, 7 E. IV."

May 20, 1467. Great seal of Ireland perfect.

The latin text of this important deed, which seems never to have been published, is as follows.

' Edwardus dei gracia Rex Anglie et Francie et Dominus Hibernie omnibus ballivis et fidelibus suis ad quos presentes littere pervenerint salutem. Sciatis quod nos volentes Sawe Kewanagh uxorem Jacobi filii Edmundi Botiller de hibernicana nacione existentem favore prosequi gracioso de gracia nostra speciali de assensu dilecti consanguinei nostri Thome Comitis Dessemonie deputati carissimi fratris nostri Georgii ducis Clarencie locum nostrum tenentis terre nostre Hibernie concessimus prefate Sawe quocumque nomine censeatur quod ipsa et omnes exitus inter ipsos tam procreati quam procreandi liberi sint status et libere condicionis ac ab omni servitute hibernicali liberi et quieti. Et quod ipsi legibus anglicanis in omnibus et per omnia uti possent et gaudere eodem modo quo homines anglici infra dictam terram nostram eas habent et eis gaudent et utuntur. Et quod

ipsi respondeant et respondeantur in quibuscumque curiis nostris heredum et successorum nostrorum. Et quod ipsi omnimoda terras tenementa redditus servicia officia et alias possessiones quecumque adquirere ea habere occupare et eis gaudere sibi heredibus et assignatis suis in perpetuum et in eisdem succedere et de eisdem hereditare possint. Ac eciam ad quecumque beneficia ecclesiastica tam dignitates quam alia beneficia promoveri et admitti et ea habere occupare et eis gaudere prout homines anglici infra dictam terram ea habent et eis gaudent absque aliqua impeticione vel impedimento nostri heredum successorum officiariorum seu ministrorum nostrorum quorumcumque aliqua condicione hibernicali vel aliquibus statutis actis ordinacionibus provisionibus aut privilegiis ante hec tempora factis non obstantibus dumtamen eadem Sawe et exitus sui predicti ut fideles ligei nostra erga nos heredes nostros et fidelem populum nostrum se habeant et gerant in futurum.

In cuius rei testimonium has litteras nostras fieri fecimus patentes.

Teste prefato deputato apud Trym vicesimo die Maii anno regni nostri septimo.'

Prendergast.

Per peticionem per ipsum deputatum indorsatam et privato sigillo consignatam et de dato predicto auctoritate parliamenti.

231.

Inspeximus by Henry VIII in 1536 of acts of Parliament relative to the descent of the Earldom of Ormond.

" Henry the eighth, King of England and France, Defender of the Faith, Lord of Ireland, and on earth Supreme Head of the Church of England and Ireland.

We have inspected a certain ordinance passed in our parliament at Dublin on the 1st day of May last past in the presence of Lord Leonard Gray, Deputy of our land and lordship of Ireland, in these words (English, modernised as follows).

' Prayeth the commons at the humble supplication of Piers, Earl of Ossory, son and heir to James son of Edmund son of Richard Butler, whereas | in a parliament held at Drogheda on Thursday next after the Purification of our Lady in the seventh

year of the reign of the noble prince of famous memory Edward, by the grace of God king of England and France and Lord of this land of Ireland [February 3, 1468], before John, Earl of Worcester, deputy unto George then duke of Clarence, lieutenant to the said King Edward of this land of Ireland, amongst other acts and at the supplication of the said James Butler, son of Edmund son of Richard Butler, reciting that whereas after affiance had between the said James and Saive then his wife, and before the espousals there was issue Edmund and Theobald | it was enacted and ordained by authority of the aforesaid parliament that the said issue Edmund and Theobald should be made, reputed and adjudged 'mulier' and able to inherit and enjoy all manner lands, possessions, rents and services as if they had been born within the espousals solemnised and forasmuch as the said act or statute was clearly against the course of the common laws and to the disinherison of the rightful heirs of the said James, whose right heir is the said Piers, now Earl of Ossory, being born betwixt the said James and Saive after the matrimony solemnised and in consideration of the faithful heart and mind that the said Piers hath always in doing the King's grace good service, and especially for his politic and valiant attempts used now lately against the high and proditorious rebellion and treason of the rebel and traitor Thomas Fitzgerald | be it enacted, ordained and established by authority of this present parliament that the said act in every point concerning the legitimizing and making 'mulier' of the said Edmund and Theobald, and also enabling the said Edmund and Theobald to inherit and enjoy all manner of lands, possessions, rents and services as if they were born within the espousals solemnised, be repealed, annulled, revoked and utterly adjudged void and of no effect in law and that the said Piers and any others who by cause of the King's common laws ought to be right heirs and inherit as right heirs to the said James, if the said act made in the seventh year of King Edward the fourth had never been made, be enabled to have, inherit and enjoy all manner of lands, messuages (*meases*), tenements and all other manner hereditaments as rightful heir to the said James by course of the common laws | as though such legitimization of said Edmund and Theobald had never been made or ordained | the said act made in the said year, or anything therein contained made to the contrary, notwithstanding. Provided always and be

it enacted by authority of the present parliament that this act of annulment and repeal, or anything therein contained, shall not in any wise be hurtful or prejudicial to the King our sovereign lord, nor to the most excellent princess Queen Anne, his most dear and entirely beloved wife, nor to their heirs nor to the heirs of either of them, nor to the right honourable, Thomas Earl of Wiltshire and Ormond, nor to Dame Margaret Bulleyn, mother of the said Earl, nor to Dame Anne Seintleger nor to George Seintleger, knight, nor to the heirs of the said Earl of Wiltshire, Dame Margaret, Dame Anne and George, nor to the heirs of any of them of, for or concerning any honours, titles, styles, names, dignities, arms or prëeminences or of, for or concerning any honours, castles, manors, lands, tenements, rents, advowsons, hereditaments, etc., whatsoever they be. But that our said sovereign lord the King and the said most excellent princess the Queen and their heirs and the heirs of either of them, the said Earl of Wiltshire and Ormond and his heirs, and all and every other persons before-named in his proviso and their heirs shall have, hold, keep and enjoy all such honours, names, titles, etc., (*as above*), which they or any of them have or may lawfully pretend or claim to have, or any person or persons to their uses, or to the use of any of them have or ought to have in like manner, form and condition as if the said act of repeal and annulment, or anything therein contained to the contrary, had never been made. And also be it provided and enacted that this act of repeal and annulment or any thing therein contained shall not in any wise be hurtful or prejudicial to the indentures tripartite bearing date the 18th day of February in the 19th year of our said sovereign lord the King made between him of the one part and the said Dame Anne Seintleger, widow, and Dame Margaret Bulleyn, widow, by the names of Dame Anne Seintleger and Dame Margaret Bulleyn, daughters and heirs of Thomas Butler, knight, late Earl of Ormond, and the said Earl of Wiltshire and Ormond by the name of the right honourable Thomas Viscount Rocheford, son and heir apparent of said Dame Margaret, and Sir George Seintleger, knight, son and heir apparent of the said Dame Anne, of the second part and the said Piers, Earl of Ossory, by the name of Sir Piers Butler, knight, cousin and heir male to the said Thomas late Earl of Ormond, and James lord Butler, by the name of James Butler, esquire, son and heir apparent of the said

Sir Piers, of the third part, but that the said indentures and all and every clause, article, sentence, covenant, agreement, etc., mentioned, expressed and contained in the same shall be and stand in their full force and effect to all intents and purposes according to the tenours and effects of the same indentures. And that the said Piers, Earl of Ossory, and his heirs shall not in any wise claim, challenge or attempt to have any honour, title, name, dignity, or castles, etc., (*as above*), contrary to the tenour contents and effects of the same indentures | anything contained in the said act of repeal or annulment to the let or contrary thereof in any wise notwithstanding.'

We then have exemplified the tenour of the above act or ordinance at the request of Peter, Earl of Ossory. In witness whereof we have had these our letters patent made.

Teste our aforesaid deputy at Dublin on the 18th day of October in the 28th year of our reign."

Ex. per Robertum Cowley et Nicholaum Stanyhurst clericos.

February 3, 1468.
October 18, 1536. Great seal.

Dorso: An inspeximus of the repeall of the mulierte of Theobald and Edmund Butler sonnes to Sawe Kevanagh xviii° die Octobris a° xxviii° R.R. H. 8.

[*See* Statute Rolls of Ireland, Ed. IV (p. 429) cap. XXVIII: an act annulling the Attainder, etc., of James Butler. It proceeds: " whereafter affiance had between said James and Sawe Kavanagh his wife, before espousals there was issue Esmund and Theobald which by the law of the Church are legitimated by subsequent marriage, it is ordained by authority of this present parliament that said Esmund and Theobald be made and adjudged legitimate, etc."

The Statutes at Large (Ireland), 1786, in vol. 1310–1612 make no mention of the act of 1536 quoted in this document.

See for this Butler-Kavanagh marriage Deed 226].

232.

Letters patent of Edward IV appointing James Boteler and Edmund Boteler, sons of Piers Boteler, with the consent of George,

Duke of Clarence, Lieutenant of Ireland, as special commissioners to treat for peace with Irish enemies and English rebels and outlaws.

Given at Drogheda on the 9th day of December in the 8th year of Edward IV.

December 9, 1468. *Eustace.*

233.

Nicholas son of Philip Olynche grants to James son of Edmund le Buttler and his heirs for ever, a messuage with an acre of arable land in the vill of Carrickmagriffin, lying in breadth between the land of Raymond son of Richard Vale, on the north, and the river Suir on the south ; and in length between the lane leading from the King's highway to the bridge of said vill on the east up to the land of the said Raymond Vale without the walls of the said town on the west. The acre of arable land lies in the burgage of said town, in length from the way that goes from the east gate of said vill to Typeraght [Tipperaghny, county Kilkenny] on the south and the land of Thomas son of Philip Nell on the north ; and in breadth between the land of said Nicholas on the east and the way that goes to the vill of Kreghe on the west.

Given at Carrickmagriffin. Grantor's seal being unknown, that of the vill of Carrick is used.

[Undated : If James son of Edmund le Butler named in the deed is Sir James, son of Sir Edmund Mac Richard, it may be dated as between the death of Edmund in 1464 and that of Sir James in 1487].

[*Circa* 1470.] Seal.

234.

Memorandum of the rents of John Botyller, Earl of Ormond, received by James Botyller yearly, from the time when the same lord crossed the sea to Portugal (Portyngall) in the year 1472.

The lands first mentioned are Kappaghedyne near Callan, Kyllalo, Ballylayn, Dyrrynshauke, Morgrage, Wyllygrage, Westcourte, the lord's demesnes, Maioeston, Corbaly, a toft formerly John Whyte's, a toft formerly Peter Trody's, the parish of

Kylbryde, a cottage of Hill de Callan, Boteston, Balydowyll, Balcrowane and Clontibret.

Total of the rents per annum 11*l.* 2*s.*

Kylcolme near Knocktopher, Kylgrallon, Lesterlyn, the mill of Grallagh, the ferry there, Balenenyrlagh, Kylcrone, Portenhill, Balisalagh, Loghon, Rathkerane, Flemingeston, Rathforbi, Tyremore, Tilgragane, Baltarsne, Portnescoll, chief rents of William Walsh in Polrothan, Clogath, Polrothane and Donnefarane, Fydoun, Tyremyle, Illid, Ardclone, Cashilaryll.

Total *p. a.* 12*l.* 9*s.*

Total " of those parcels " per annum 23*l.* 11*s.*
Total for sixteen terms.

[No figures given. This dates the period covered by the rental as 1472–1477.]

Item. Walter Foster holds the lord's mill at Knocktopher, twelve acres in ' le Rowfelde,' Whytheyb[re ?], two acres in Cartereslande, eight acres near the mill, six acres in Kylcolmefelde, Denesrayth, land in Castelgarnane and land near the church of Kyllenede.

Total per annum 10*l.* 10*s.* 6*d.*

Item. The Newtown of Lynnane in the hands of Donnoth Mc Clauthin, per annum, 28*s.*

Cregg and Leghbaly with other parcels 4*l.*

' Lez rymourys ' occupy the lordships of Medlagh, Leynaghyston, Lomoke, Correstone, Hopkynestone. [No figures : ? free land].

Sandyryston, Moclere and the mill there, 10 marks.

Total per annum, 15*l.* 8*s.*

Item. James Butyller received of the rent of Little Carryg [Carrickbeg] 13*s.* 4*d.* Also of the parish of Fynwagh in county Waterford per annum 33*s.* 4*d.*

Total 46*s.* 8*d.*

Item. The rent of Typeragh.

Thomas son of Peter Botyller received the rents of Cathyr,

Offath, Ballybothy and Balycullenane. Also Edmund son of Peter Botyller received the rent of Lesrorath, Kylmore and Rossyne, the mill of Clonmel and a house there. Also Thomas son of John Botyller cousin (*consanguineus*) of Edmund received the rents of Ardmall. Also James son of Edmund son of Richard Botyller and all those Buttellers received the Cows of Ormond. [Marginal note in later hand: " mention of Rent Cowes in Ormond "]. Also Richard Botyller received the rents of Thirles and Kyllenall. Also the rents of Cathyrkynlynch in county Limerick and of Youghal in Munster.

[No sums given].

Received by Walter Glerne.

Rent of the borough of Knocktopher *p. a.* 3*l.* 9*s.*

Rents also of Kyllerrill, Lesmateyke, Derinhynch, the borough of Jerpoint for the mountains there, Thomastown, Rosbargon, Balecroyn, demesnes of Knocktopher, Gorsagirdy, rents from Raymond Forstall, John Forstall, Nicholas Botyller and Thomas Howill.

Total 9*l.* 5*s.* 8*d.*

Total per annum for twelve terms 55*l.* 14*s.*

Payments assigned to various creditors, for twelve terms 59*l.* 5*s.* These include debts to the town of Ross and Knocktopher for victuals; to Thomas Doun, the lord's cook, 3*s.* 4*d.*; to Robert Ketyng, going to Portugal 52*s.* 8*d.*; repair of the castle of Knocktopher, other sums to Robert Page and Philip Wodloke going to Portugal; to Robert Page by the hands of Philip McCosdallve, to Thomas of Desmond for the lord's royal service at Thomastown, to Schan O'Carwyll, the horsemen (*equestoribus*) of William O'Carroll, a payment to Manus More Galloglagh, to the tenants of the demesnes of Knocktopher for repair of the burning done by Schan son of James Buttyller when they (*sic*) took the castle of Knocktopher, Nicholas Travers going to the Earl in England, etc.

Among other receipts are given: custody of the lands of John son and heir of Raymond Rothe, a minor, at Knocktopher, rents

of Dengynmore, Clonericorrane near Cordyr, and the lord's manor at Callan.

Sum total per annum after all payments and expenses made 3*l.* 9*s.* 4*d.*
Sum total for sixteen terms 25*l.* 18*s.* 8*d.*

[Here as in other similar deeds I do not vouch for the accuracy of the scribe's totals].

[1472–1477].

235.

Two Deeds.

1) John Swetyman gives and grants to Nicholas Broun and Nicholas Torner the half of his manor of Douncormoc and half of his tenement of Balmakearwill with the half of all revenues of the court, with the half of his mill in Douncormoc with its appurtenances. Also the half of his town of Clonmene with the half of its revenues and also the half of his town of Tathmon with its revenues and profits. To have and to hold to the above Nicholas and Nicholas and their heirs of the chief lord of the fee, etc.

March 6, 1472. Seal.

2) John Sweteman, baron of Darlieston, appoints Richard Broun and John Sinott, gentleman, his bailiffs for placing Nicholas Broun and Nicholas Tornour in full seisin of a messuage and three carucates of land in the forest of Tamon. To have and to hold to the said Nicholas and Nicholas and their heirs according to the tenour of his charter made in this matter as is more fully contained therein.

March 10, 1472.

Dorso: A letter of attorney from John Sweetman baron Daylerleston to put Nicholas Brown and others in possession of a messuage and three carues of land in the forest of Tamon.

236.

Two Deeds.

1) Richard Trolley of Clonmel grants to Peter son of Edmund son of James fitzPers Botiller for ever all his right in all lands

formerly belonging to John son of William Yong in the borough of Lisroragh in county Tipperary.

Given on the 1st day of April in the 12th year of Edward IV.

April 1, 1472. Seal.

2) Deed of attorney by Richard Trolley appointing Nicholas Broythe, burgess of Clonmel, to deliver seisin of above.
Same date.

237.

Letters patent of Edward IV granting to James son of Edmund fitz Richard Botiller the lordship of Callan and ' the Eraght ' of the same, to have and to hold for the term of his life ; also the prise of wines in the city of Waterford.

Teste John Earl of Worcester, deputy of George, Duke of Clarence, Lieutenant of Ireland, at Trim on the 11th day of April in the 11th year of the reign.

Per billam ipsius Deputati de privato sigillo et de data predicta auctoritate parliamenti Freman.

April 11, 1472

238.

Indenture made on the first day of April in the 13th year of Edward IV between Richard Macode, *alias* Asteken, and Richard Northman of Waterford, merchant, by which the former leases and to farm lets to the latter, his heirs, etc., one water-mill with its appurtenances, and a castle near it, two gardens, one meadow and one pond called ' Stonswere ' (? Stonsmere), which mill lies in the burgage of Thomastown and is called ' Macoodes myll,' and the gardens lie to the east of it and the meadow is called ' Myltonmede ' ; for a term of twenty-four years, paying yearly to the aforesaid Richard Macoode 13*s.* 4*d.*, provided that the aforesaid Richard Northman shall possess it freely for the first four years paying nothing therefor. And the said Richard Northman and his heirs shall keep the mill and castle " stiff, strang and stanch " at his own cost, unless it is burned by the King's enemies or rebels, as many are in these times. And Richard Macoode or his heirs will give to the said Richard Northman or his heirs all

the wood and stones they can find in their woods and lands for the building and repair of the said mill and castle, and also bind themselves and all their tenants to grind all their corn at said mill during said term.

In witness whereof both parties have affixed their seals, and because their seals are unknown to many the seal of the reeves of Thomastown has been affixed.

April 1, 1473.

Dorso : Macoodes myll and other lande in Thomaston.

239.

Portion of proceedings (in latin) of assizes held in county Kilkenny in 1474.

Pleas of assize held before Nicholas Tornour and his fellow justices of the King in county Kilkenny, assigned *ad audiend. et terminand.* at Knocktopher on Monday next after St. Barnabas' day in the 14th year of Edward IV. [June 13, 1474].

' An assize of recognition whether Thomas Howlyn, gentleman, unlawfully and without judgment disseised David Howlyn, gentleman, of his free tenement in Ballygeragh *post primam*, etc. ; of which he complains that he disseised him of a messuage and three carucates of land in Ballygeragh. On which day both said David and Thomas, solemnly called, came, etc. And defendant asks for a day to reply with counsel up to Monday next after the Octave of St. Michael, and the day is given to the plaintiff and a jury of assize ordered. But on said day the plaintiff solemnly summoned, did not come. So his default is recorded and he is in mercy because not present. In witness whereof the said Nicholas Tornour has set his seal to the said record.'

October 24, 1474. Seal.

240.

Indenture in English made on the 31st day of January in the 14th year of Edward IV between James Buttiller, gentleman, lord of Donmore in the county of Waterford, of the one part, and Richard Power, gentleman, sheriff of the said county, Eleane Buttiller wife of the said Richard, and Nicholas son of Richard

and Eleane of the other part, witnesses that the said James has given, granted and to farm let unto Richard, Eleane and Nicholas the manor and lordship of Donmore which formerly belonged to one Theobald Buttiller. To have and to hold said manor, etc., for the term of their lives and to the longest liver of them, except the casualty of fishing that happens to fall or be taken out of the sea in said lordship, the which fishing of herring and all other fish, taken or to be taken within said lordship during the lives of said Richard, Eleane and Nicholas, they bind themselves to hold the aforesaid casualty of fishing, etc., (as above) to the use and profit of the said James and his heirs.

In witness whereof to this indenture both parties have severally set their seals. And forasmuch as their seals are not well known they have procured to be affixed the seal of the Staple of the city of Waterford.

January 31, 1475. Four seals: one of the Staple has royal quarterings.

241.

Margaret, daughter and heir of Thomas Kilrane, gives and grants to John Lang, ' corvisor ' (shoemaker), and Isabella Lanan his wife all the messuages, lands, etc., which grantor has in hereditary right in Brekeleyston, Granehan and elsewhere in the barony of Ballygaveran and in all county Kilkenny, to have and to hold to them and their heirs for ever.

April 24, 1475. Two seals.

242.

Inspeximus by Edward IV of letters patent enrolled in the Rolls of the Common Bench of Ireland, for Trinity Term in the 16th year of his reign in these words.

" Edward by the grace of God, etc. We have inspected a certain act or ordinance made in Dublin on Friday next after the feast of St. Margaret last past [July 21, 1475] before William, bishop of Meath, deputy of our dear brother, George, Duke of Clarence, our Lieutenant in Ireland, at the humble request of John Ormond, knight, otherwise called John Boteler, brother and heir of James, late Earl of Wiltshire and Ormond, and remaining on record in the

rolls of our Chancery of Ireland in these words." (The act that follows is in French. See Statutes of Ireland, Edward IV, pp. 25–29. This says that, whereas by acts of a parliament held at Dublin on Friday next before the feast of St. Luke in the 2nd year of Edward IV's reign before Sir Roland fitzEustace, Deputy, it was enacted that the said John Ormond stood attainted as the King's enemy and should forfeit all his lordships, lands, etc., in Ireland, and whereas after the time of that act it pleased the King to pardon the said John Ormond for all manner of causes for which he stood attainted, and had commanded him to wait on his royal person on his passage to his realm of France, it is now enacted by authority of the said parliament that the act of attainder made against the late James, Earl of Ormond and Wiltshire, and John of Ormond his brother, and their heirs be revoked and annulled in law. Also that the said John Ormond and his heirs may enter upon and take possession of all lordships, lands, etc., in Ireland, the which James, Earl of Wiltshire and Ormond, was seised. To have and to hold to him and his heirs as by right and title of his ancestors, provided always that this act be not prejudicial to Thomas fitzMaurice, Earl of Kildare, in any of his possessions of Kildare, Maynooth, Le Carten and the Courte of Carten, Rathmore, Lucan, Kyldroght, Geyshill, Ofaly and all other lands, tenements, etc., which pertain to the ancient inheritance of the earls of Kildare. Provided always that it be not prejudicial to John Cornewalshe, knight, in any grant made by him to James, Earl of Ormond.)

"We therefore at the request of our beloved Walter, abbot of St. Mary's near Dublin, have thought fit to exemplify the tenour of the said enrolment of our letters patent by these presents.

In witness whereof we have had these our letters patent made.

Teste Robert Dovedall, knight, chief justice of our Common Bench at Dublin on the 17th day of June in the 16th year of our reign."

July 21, 1475.
June 17, 1476. Great seal of Edward IV.

The text is as follows.

"Edwardus dei gratia Rex Anglie et Francie et Dominus Hibernie, omnibus ad quos presentes littere pervenerint salutem.

Inspeximus irrotulamentum quarundam litterarum mearum patentium in Rotulis communis banci nostri Hibernie in termino sancte Trinitatis anno regni nostri sextodecimo irrotulatum in hec verba. Edwardus dei gratia Rex Anglie et Francie et dominus Hibernie omnibus ad quos presentes littere pervenerint salutem. Inspeximus quendam actum sive ordinacionem in parliamento nostro apud Dublinium die veneris proximo post festum sancte Margarete virginis ultimo preterito coram reverendo in Christo patre Willelmo Episcopo Midie deputato carissimi fratris nostri Georgii ducis Clarencie locum nostrum tenentis terre nostre hibernie tento ad humilem supplicacionem Johannis Ormond militis alias dictus Johannes Boteler fratris et heredis Jacobi nuper comitis Wilteshire et Ormonde supradicti et in Rotulo cancellarie nostre Hibernie de recordo remanente in hec verba.

' Item al supplicacion de John Ormond chivaler aultrement appelle John Boteler frere et heire a James tarde counte de Wiltshire et Ormond, que come devant cest temps par une act et ordenance en une parliament de nostre plus tres doubte liege Seigneur le Roy quorest tenuz a Develyn le vendredie proschien devant le fest de Seint Luke le Evangelist lane de son pluis noble reigne le seconde [October 15, 1462], devant Seigneur Rouland ffitz Eustace chivaler Seigneur de Portlester adonqes esteant depute a George Duc de Clarence lieutenant de nostre liege Seigneur le Roy dicest sa terre Dirlaund, par diversez ententes et causez acele temps considerez sicome il est pluis pleinement especifie deins le dit act il fuist autorize, enacte et ordeine qe le dit John Ormond entre aultres par le noun de John Ormond chivaler, aultrement appelle John Botiler, de estre dempte et atteinte come enemy a nostre pluis tresdoubte Seigneur le Roy et issint de forfait touts ses seigneuries terres rentes et tenementz ove lour appurtenance des queux il fuit seisie a cele temps on ascun aultre home a son use, et par ceo qe apres cele temps del establishment del mesme act et ordenance il ad please nostre dit soveraine Seigneur le Roy de sa pluis abundaunt grace de pardonner le dit John Ormond generalment de toutz tielx maneres causes par les quex a cele temps del dit act de atteindre fuit issint enacte et ordene envers le dit John Ormond, et sur ceo de sa tresespeciale et favourable grace ad comaunde et accepte le dit John Ormond de attendre sur sa pluis royall persone en son voyage et passage en son Royalme de ffraunce. Sur qe les premissez consideres enacte est

ordeine et establie par autorite dicest dit parliament qe le dit act de atteindre quele come il est especifie fuit enacte sibien envers le dit James tarde Count de Wilteshire et Ormond frere al dit John de Ormond, come envers le dit John de Ormond aultrement appelle John Botteller frere et heire al dit James et lour heires, soit revoke adnulle repelle et par force dicest present act de estre voide et de nule effecte on ley. Et qe par auctorite dicest act et ordenaunce en cest dit parliament establishe et ordeine il ben luist al dit John Ormond come frere et heire al dit James et a les heires del dit John Ormond en lour propres persones ou par lour especiales assignes ou attornees, de entrer et preigner possession en et de touts les seigneuries, terres, tenements, rentes, reversions, services, et advosons ove toute et chescun de lour appurtenaunce deins cest terre Dirland, des queux le dit James tarde Count de Wiltshire et Ormond fuit seisie, a aver et a teigner al dit John Ormond et a sez heires oue le estate noun et dignite accordaunt come par droite et title de sez auntecestres il fuit tarde venue en la possession del dit James et issint de perceiver lever et coiller toutes et chescun de les issues profites rentes et revenuz annuellement veignauntez de les mesmes seigneuries, terres, tenementz, rentes, reversions et services et de toute et chescun lour appurtenance al use et profite de mesme John Ormond ses heires et assignes pour touts cours saunz empechement de notre dit pluis tresdoute liege Seigneur le Roy, ses heires ou aultres ses officiers et ministres ; ascun manere act ordenance ou estatut a ascun temps fait au contraire en ascun parliament ou parliaments et ascun manere done ou dones graunte ou grauntes alienacion ou allienacions encon de ascun parcell del mesmez en ascun manere devaunt cest temps au contraire donez grauntez ou faitz nient obstauntez ; provenant touts foitz qe cest act ou ordenance ne extende ny soit preiudiciale a Thomas fitz Morice Count de Kildare de en ou a ascuns seigneuries terres, tenements, rentis, reversiones, services ou possessions queux sount de soun propre enheritance ne a ascuns autres seigneuries, terres, tenementes, rentes, reversions, services ou possessions en quiconque manere il ceaux claime, cestassaver les maneres de Kildare, Maynoth, Carten et le Court de Carten, Rathmore, Lucan, Kildroght Arst, Geysshill, Ofaly et toutes aultres terres tenementz rentes custoumes et services ove lez appurtenancez et chescun de eaux ove les appurtenantz queux perteinount al auncient enheritaunce del dit Count de Kildare.

Provenant auxi qe le dit act ne extende ny ne soit preiudiciall a John Cornewalshe Chivaler de nule graunte a luy fait par James Count de Ormond, Piere al dit John Ormond, par quelconque noun le dit John Cornewalshe soit appelle en mesme la graunte.'

Nos autem tenorem irrotulamenti predicti litterarum nostrarum ad requisicionem dilecti nobis in Christo Walteri Abbatis Domus beate Marie virginis iuxta Dublinium duximus exemplificandum per presentes. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste dilecto et fideli nostro Roberto Dovedall milite capitali Justiciario nostro communis banci predicti apud Dublinium decimo septimo die Junii anno regni nostri sexto decimo."

243.

Inspeximus by Henry VIII in the 19th year of his reign of an enrolment of 16 Edward IV (1476) repealing the Attainder of John of Ormond.

" Henry VIII by the grace of God King of England and France, Defender of the Faith and Lord of Ireland, etc. We have inspected an enrolment made before Robert Dovedall, knight, chief justice of our Common Bench of Ireland, and the justices of the same Bench, which is enrolled in the rolls of Easter in the 16th year of Edward IV,, the tenour of which is as follows."

(For the inspeximus by Edward IV and the act of July 21, 1475, which it recites, see the preceding Deed).

' This act is therefore exemplified at the request of Walter, Abbot of the House of the B.V.M. near Dublin.

Teste William, bishop of Meath, Deputy of George, Duke of Clarence, at Dublin, on the 27th day of September in the 15th year of the reign. [September 27, 1475] '

We have thought fit to exemplify the tenour of above enrolment at the request of Richard Dyllon, gentleman.

In witness whereof we have had these our letters patent made.

Teste Richard Delahide, chief justice of our Common Bench, at Dublin on the 18th day of November in the 19th year of our

reign, and afterwards in a certain room near the Exchequer read and diligently examined before the following :

[Signatures of] H. Dublin (Hugh Inge).
Patrick Bermyngham, justice.
John Ryecard, dean, Master of the Rolls.
Sir Barth' Dyllon, knight, justice.

Ex. per Geraldum Dillon et Ric Dillon clericos."

July, 1475. Great seal (apparently of Edward IV).
June, 1476.

November 18, 1527.

244.

Deed of attorney of Thomas son of Richard Butler, baron of Knockgraffon, appointing the reverend John Cantwell, archbishop of Cashel, his bailiff and guardian for all messuages, lands, rents and tenements which formerly belonged to Thomas Cantwell of Gleangoyll, by reason of the minority of John Cantewell, son and heir of Thomas, unto the coming of age of said Thomas. Further he appoints Walter Wodelok seneschal of the said barony, his bailiff to deliver seisin of the same to the archbishop.

Given at Knockgraffon on Saturday next before the feast of the Assumption of the B.V.M. in the 15th year of Edward IV.

August 12, 1475. Seal.

245.

Rentals and accounts of the manors of Turvey, Rush and Balscadden, Co. Dublin, in the years 16–23 Edward IV and 1 Richard III (1476–1484).

These two perfectly preserved and complete documents deserve to be given in full, as follows.

1) Redditus et proficua terrarum et tenementorum reddituum et serviciorum maneriorum sive dominiorum Turvy Rushe et Balyscadane de annis regni Regis Edwardi quarti xvi°, xvij°, xviij°, et xix°.

Libere tenentes.

Sclanaideston (or : Sclanardeston) per annum xxxijs.
Danyeston (or : Danyston) ,, xxijs.

Coldcot	per annum		xxj*s.*	
Hoggeston	,,		xx*s.*	
Courduff	,,	xiij*li.*	vj*s.*	viij*d.*
Tirelleston	,,		xlv*s.*	
Hayeston	,,		xj*s.*	vj*d.*
Casbaly	,,		xiij*s.*	iiij*d.*
Quylkyneston	,,		xxvj*s.*	viij*d.*
Ballyghe	,,			xl*d.*
John Spens pro Kynnewr	,,	iiij*li.*		
Ballycomyn	,,		xl*s.*	
Rathlawe	,,		xl*s.*	
Balregyn	,,		xiij*s.*	iiij*d.*
Jordaneston	,,		c*s.*	
Obreyeston	,,		xl*s.*	

pro s. xxxviij*li.* xiij*s.* x*d.*

Terre dominice ac prata.

Johannes Wallyngeford pro magno Turvy reddens	per annum	vii*li.*	vj*s.*	viij*d.*
Item parvum Turvey	,,	iiij*li.*	iij*s.*	iiij*d.*
Item prata dominica ibidem	,,		xxxiij*s.*	iiij*d.*

Terre tenentium ad voluntatem domini.

Tenentes de Bevereston	per annum	iij*li.*		
,, de Baldromyn	,,		xiij*s.*	iiij*d.*
,, de Ballostran	,,		xxvj*s.*	viij*d.*
,, de Ballawy	,,	iiij*li.*	v*s.*	iiij*d.*
,, de Rathherthyn	,,		xxxvj*s.*	iiij*d.*
Hayeston per tenentes ibidem	,,		xl*s.*	
Tenentes de Willywhiteston	,,		xxxvj*s.*	
,, de Rath	,,		xxxiij*s.*	iiij*d.*
,, de le Reske	,,		vj*s.*	
Walterus Cok de Ballioke	,,		xiij*s.*	iiij*d.*
Walterus Bennet de eadem	,,			ij*d.*
Nicholaus Russell de Balylyas	,,		ij*s.*	xi*d.*
Thomas Walshe de eadem	,,		iiij*s.*	v*d.*
Johannes Mallann	,,		xxx*s.*	
,, Kerrot	,,	iiij*li.*		
,, fferen	,,		x*s.*	
Johanna Madok	,,		(?) xj*s.*	ij*d.*

Willelmus Wyot	per annum	xiiij*s.*	
Idem Willelmus pro uno domo	,,	viij*s.*	
Philippus Roche	,,	xij*s.*	
Johannes Barret	,,	xxvj*s.*	viij*d.*
Idem Johannes pro firma Elie Talbot	,,	v*s.*	
Item Robertus Broun	,,	xxxij*s.*	viij*d.*
Idem Robertus pro firma Willelmi Madok	,,	xv*s.*	
Jannetta Gawr'	,,		xv*d.*
Robertus Birtok	,,	xij*s.*	
Philippus Howet pro iiij acris in Iffeldeston	,,		iiij*d.*
Thomas Walshe	,,	xvj*s.*	
Johannes Hoper	,,	ij*s.*	iiij*d.*
Ricardus Nettervill	,,	iiij*s.*	
Maryon	,,		xv*d.*
Henricus Torpeley	,,	iiij*s.*	
Johannes Kildroght	,,		xj*d.*
Thomas Tobyn	,,	vj*s.*	iiij*d.*
Johannes Roche	,,	iij*s.*	
Simon Nettervill	,,		xij*d.*
Willelmus Dongan	,,	ij*s.*	
Johannes Kerdyff	,,	vij*s.*	x*d.*
Thomas Conghour	,,	ij*s.*	iiij*d.*
Johannes Pavy	,,	iij*s.*	
Idem Johannes	,, pro orto		xij*d.*
Ricardus Goldyng	,,	vj*s.*	ij*d.*
Ricardus Trevere pro Peryngesland	,,	v*s.*	
Rogerus Remond	,,	ij*s.*	vj*d.*
Johannes Calf	,,	ij*s.*	xj*d.*
Mulsan Comyn	,,		xij*d.*
Ricardus Doyll	,,		xij*d.*
Agnes Sendell	,,		iij*d.*
Ricardus Bermyngeham	,,		iij*d.*
Walterus . . .			
Johannes . . .			
Johannes . . .			
Agnes . . .			x*d.*

Robertus . . .			iij*d*.
Robertus Hill	per annum		iij*d*.
Agnes Dobbeyn	,,		i.j*d*.
Johannes Osborne	,,		xviij*d*.
Evvot Coyng	,,		iij*d*.
Robertus Bron	,,		iij*d*.
Johannes Duff	,,	iijs.	iiij*d*.
Dandyesland	,,	vs.	

Redditus domorum.

Edwardus Coylok	,,	iiij*d*.
Johannes Nangle	,,	iij*d*.
Mulsan' Comyn	,,	iij*d*.
Ricardus Doyll	,,	iij*d*.
Geraldus Dyllon	,,	iij*d*.
Ricardus Stafford	,,	iij*d*.
Agnes Sendell	,,	vj*d*.
Walterus Birt	,,	iij*d*.
Agnes fitz Leones	,,	iij*d*.
Agnes Bawdewyn	,,	vij*d*.
Johannes Brayne	,,	iiij*d*.
Alicia ffeld	,,	iij*d*.
Elice Madok	,,	iij*d*.
Johannes Calf	,,	vj*d*.
Johannes ffaran	,,	vj*d*.
Katerina Halgan	,,	iij*d*.
Rogerus Remund	,,	iiij*d*.
Rogerus Umfrey	,,	iij*d*.
Elias Chepman	,,	iij*d*.
Elena Comyn	,,	iij*d*.
Walterus Dermot	,,	iiij*d*.
Johannes Kerr	,,	iij*d*.
Johannes Got	,,	iij*d*.
Elena Cashell	,,	iij*d*.
Annot Blake	,,	iij*d*.
Alicia Hill	,,	iij*d*.
Willelmus Wyot	,,	iij*d*.
Johanna Madok	,,	iij*d*.
Thomas Kenan	,,	iij*d*.
Johannes Dovedall	,,	iij*d*.

Robertus Hill	per annum	iij*d.*
Agnes Dowlyn	,,	iij*d.*
Johannes Osborne	,,	vj*d.*
Nicholaus Roche	,,	iij*d.*
Manus Miller	,,	iij*d.*
Willelmus Wyot	,,	iij*d.*
Isabella White	,,	iij*d.*
Jannetta Gawr'	,,	vj*d.*
Evot Coyng	,,	iij*d.*
Anna Lawnder	,,	iij*d.*
Johannes Barret	,,	iij*d.*
Murdagh Hyne	,,	vj*d.*
Conghor Tailour	,,	vj*d.*
Johannes Coylok	,,	iij*d.*
Robertus Bron	,,	vj*d.*
Johannes Duff	,,	iij*d.*
Johanna Devenysh	,,	iij*d.*
	pro s. xiiij*s.*	vij*d.*

Custuma vocata ' le Rappyng silver ' per annum xx*s.*
,, de ' herynges ' de anno xvj° ij meys iiij*s.*
,, de ' wache hennys '
,, piscium pro anno xvj° ij doss' que cremate sunt.

Custuma piscium pro anno xvij° j doss' dim. vj*s.*
,, piscium de anno xviij° ij doss' x*s.*
,, piscium de anno xix° iij doss' xv*s.*
pro s. lj*s.*

2) Compotus of the manors of Turvey, Rush and Ballyscadan I Richard III.

Compotus Philippi Bermyngeham Receptoris domini Thome Comitis Ormonie maneriorum suorum Turvy Rushe et Balyscadan a festo Annunciationis Beate Marie virginis anno regni Regis Edwardi quarti vicesimo secundo usque xxviij diem Septembris anno regni Regis vicesimo tercii scilicet per tres terminos.

Idem Receptor onerat se recepisse de redditibus et exitibus maneriorum predictorum per idem tempus ultra omnia feoda et alia onera diversis personis solutis, remanentia de claro dicto Comiti ... ... xxxviij*li.* xiij*d.* obolus quadrans.

Summa xxxviij*li*. .xiij*d*. obolus quadrans de quibus respondit in compoto sequente.

Compotus eiusdem Philippi receptoris dicti Comitis manerii sui de Donaghmore de termino sancti Michaelis anno regni Regis Edwardi quarti vicesimo secundo et de termino Pasche termino proxime sequentem scilicet per duos terminos.

Idem Receptor onerat se recepisse de redditibus et exitibus manerii predicti de termino sancti Michaelis predicto per manus Johannis Gilagh' iuxta ratam tercie partis, xx marcarum illius termini ... ... iiij*li*. viij*s*. x*d*. obolus.

Item idem Receptor onerat se recepisse de redditibus et exitibus dicti manerii de termino Pasche predicto iuxta ratam tercie partis xvij*li*. v*s*. illius termini . . . . . cxv*s*.

Item idem Receptor onerat se recepisse de quodam onere compoti precedentis prout superius continetur xxxviij*li*. xiij*s*. ob. q.

Summa totalis xlviij*li*. v*s*. quadrans.

De quibus item Receptor petit allocacionem in denariis solutis.
Magistro Fylberd per litteras dicti Comitis . . xl*li*.

iiij*li*. v*s*.
- Item petit allocacionem solutam Coupe Dore in passagio suo versus Angliam ad dictum Comitem xiij*s*. iiij*d*.
- Item pro tabula dicti Coupe Dore ante dictum passagium in Angliam . . . xx*s*.
- Item solutum cuidam mulieri pro custodia sua et camera in sua magna infirmitate per quatuor annos ij*s*.
- Item solutum lotrici et Barbitonsori suo per unum annum . . . . . ij*s*.
- Item solutum pro uno Bonet et uno pari sotularium dicto Coupe Dore . . . xij*d*.
- Item pro tabula sua per unum annum integrum xl*s*.
- Item pro expensis suis per totum annum vj*s*. viij*d*.

Item solutum pro subsidio domini Regis per idem tempus . . . . . **x*s*.**

Item pro reparacione domus apud Balyscadan . **ij*s*.**

Item pro feudo servientis Donaghmore per idem tempus **x*s*.**

Summa allocacionis xlv*li.* vij*s.* Et sic remanet de claro dicto Comiti lviij*s.* quadrans. De quibus respondet in altera parte huius indenture.

In dorso :—Compotus eiusdem Philippi de exitibus prise vinorum tam in portubus civitatis Dublinie quam ville de Drogheda a festo Annunciacionis beate Marie virginis anno regni Regis Edwardi quarti vicesimo secundo usque ad festum Apostolorum Simonis et Jude Anno regni Regis Ricardi tercii pervenientem.

Idem Philippus onerat se recepisse de exitibus tercie partis dictorum prise vinorum per idem tempus ad predictos portus prenominatos . . . . . xx*ls.*

Idem onerat se arreragio compotorum duorum maneriorum dicti Comitis Turvy Rushe Balyscaddan et Donaghmore prout infra continetur . . . . . xlviij*s.* quadrans.

Summa iiij*li.* xviij*s.* quadrans.

Compotus Philippi Bremyngham in festo sancti Michaelis anno regni Regis Ricardi tercii primo.

[According to the "Calendar of Patent and Close Rolls, Ireland," on July 24, 1479, Edward IV granted to William Welles the office of Chief Butler in Ireland and the manors of Turvey, Balscadan and Rush in county Dublin, and Blackcastle and Dunamore in county Meath for life, which formerly belonged to James Butler, Earl of Wiltshire and Ormond. It was probably for Welles that the above account was returned].

246.

Kateryna Walche daughter of John Walche of Cashel gives and grants to David de Wall son of James Wall of Cashel a messuage in the town of Cashel, in width between William Yong's messuage on the south and the stream called 'Maddoge' on the north; and in length one end stretches to St. John's street on the west and the land of Walter son of Henry de Burgo on the east. To have and to hold to him and his heirs for ever.

Given on Tuesday next after St. Patrick's day in the 16th year of Edward IV.

March 19, 1476. Seal.

247.

Inspeximus by Edward IV of certain letters patent enrolled in the Exchequer of Ireland for Michaelmas term in the 17th year of his reign in these words.

'Edward, King of England, etc., to all, etc., greeting. Know that we have of our special grace given and granted for ourselves and our heirs to our faithful Thomas Butler, otherwise called Thomas Ormond, brother and heir of John Botiller, otherwise called John Ormond, knight, defunct, who held of us in chief on the day he died, that same Thomas may enter upon and seize to himself and his heirs all castles, lordships, manors, towns, lands, fees, prizes of wines, etc., etc., within the land of Ireland, of which said John or any of his ancestors was seised in his demesne as of fee or in fee-tail and which after his death ought to remain and descend to said Thomas, even as the heir of said John and other of his ancestors ought to retain, have and hold. Together with the issues and profits therefrom from the time of the said Thomas to the present without any inquisition made thereunto by pretext of any of our writs. Unwilling that said Thomas or his heirs in their right of entry and seisin shall be molested or impeded in any way by our justices, escheators or any others our officers, saving always the homage due to us from him and his heirs.

In witness wher of we have had these our letters patent made.

Teste ourself at Westminster on the 15th day of June in the 17th year of our reign [June 15, 1477]. We have also thought fit to exemplify the enrolment of these letters patent at the request of Philip Bermingham, esquire.

Teste Thomas Bathe, knight, Chief baron of our Exchequer at Dublin on the 5th day of November in the 17th year of our reign [November 15, 1477].'

"We, now, George Comyn, mayor of Limerick, have seen the foregoing letters sealed with the seal of the Exchequer of Ireland and have perused them from word to word as above recited and have thought fit to exemplify them at the request of John Comyn.

In witness whereof we have affixed to these presents the seal

of the mayoralty of Limerick on the 12th day of June in the 13th year of Henry VII."

June 15, 1477. Fragment of seal.
November 15, 1477.
June 12, 1498.

The latin text is as follows.

" Edwardus dei gratia Rex anglie et ffrancie et dominus hibernie Omnibus ad quos presentes littere pervenerint salutem. Inspeximus irrotulamentum quarundem litterarum nostrarum patentium in Rotulo memorandorum Scaccarii nostri hibernie termino Sancti Michaelis anno Regni nostri decimo septimo de recordo existens in hec verba. ' Edwardus dei gratia Rex anglie et francie et dominus hibernie Omnibus ad quos presentes littere pervenerint salutem. Sciatis quod de gratia mea speciali ac ex certa sciencia et mero motu nostris concessimus et licenciam dedimus pro nobis et heredibus nostris quantum in nobis est dilecto et fideli nostro Thome Bottiller alias dicto Thome Ormond fratri et heredi Johannis Bottiller alias dicti Johannis Ormond militis defuncti qui de nobis tenuit in capite die quo obiit quod idem Thomas in omnia castra dominia maneria villas terras tenementa feodi firmas annuitates prisas vinorum reversiones firmas redditus servicia hundreda feoda visus franciplegii Curias letas turnos vicecomitum libertates franchesias ferias mercata iurisdicciones vivaria piscarias warennas feoda militum personatus Abbatiarum et prioratuum ac eciam advocaciones ecclesiarum vicariarum cantariarum capellarum prebendarum hospitalium et aliorum beneficiorum ecclesiasticorum quorumcumque — nec non wardas maritagia relevia parcos catalla felonum et fugitivorum wreccum maris boscos agistamenta pannagia porcorum molendina aquas liberas piscarias ac omnia alia possessiones et hereditamenta quecumque infra terram nostram hibernie de quibus prefatus Johannes aut aliquis antecessorum suorum fuit seisitus in dominico suo ut de feudo aut in feodo qualitercumque talliato die quo obiit et que post mortem prefati Johannis aut alicuius antecessorum suorum aliquo modo ad manus nostras devenerunt seu devenire debuerunt prefato Thome descendere reverti remanere seu spectare debent aut deberent licite et impune ingredi et seisire ac ea sibi et heredibus suis prout ipse in eisdem

post mortem predicti Johannis aut alicuius antecessorum suorum hereditabilis existit retinere habere et tenere possit, una cum exitibus et proficuis inde a tempore mortis predicti Johannis receptis ac omnia eadem exitus et proficua prefati Thome a tempore predicto provenientes concedimus per presentes habenda absque aliquo compoto seu aliquo alio vel heredibus nostris inde reddendo seu faciendo et absque aliqua inquisicione sive aliquibus inquisicionibus inde pretextu aliquorum brevium nostrorum de diem clausit extremum sive aliquorum brevium aut mandatorum nostrorum per vel post mortem predicti Johannis aut alicuius antecessorum suorum de castris dominiis maneriis villis terris et tenementis predictis seu ceteris premissis cum pertinenciis capiendo vel faciendo aut aliqua liberacione eorundem extra manus nostras quovismodo prosequendo vel impetrando. Nolentes quod predictus Thomas vel heredes sui racione ingressus et seisine suorum huiusmodi per nos vel heredes nostros justiciarios escaetores vicecomites aut alios ballivos seu ministros nostros vel heredes nostros quoscumque molestentur inquietentur impetantur vexentur perturbentur in aliquo seu graventur. Et quod iidem escaetores ballivi ministri et alii officiarii nostri quicumque habeant et quilibet eorum habeat tot et talia brevia et alia Waranta quot et qualia eis et eorum cuilibet pro exoneracione sua in hac parte erga nobis et dictos heredes nostros necessaria fuerunt et oportuna, homagio tamen et fidelitate ac relevio ipsius Thome nobis in hac parte debitis nobis semper salvis. Et ulterius concessimus pro nobis et heredibus nostris predictis prefato Thome quod ingressus seisina et possessio per ipsum Thomam de et in castris dominiis maneriis villis terribus et tenementis predictis ac ceteris premissis vigore et auctoritate concessionis et licencie nostrarum supradicte habite et optente sibi et heredibus suis tante vigoris in lege existant et virtutis ac si castra dominia maneria ville terre et tenementa predicta ac cetera premissa in manibus nostris capta et seisita inquisicionesque inde post mortem predicti Johannis aut alicuius antecessorum suorum rite et debite capte et in cancellariam nostram retornate ac liberacio eorundem castrorum dominiorum maneriorum villarum terrarum et tenementorum predictorum ac ceterarum premissarum per predictum Thomam extra manus nostras secundum cursum cancellarie nostre in forma debita prosecute fuissent. Et quod hoc sit adeo validum prefato Thome heredibus et assignatis suis

et huiusmodi valoris et effectus erga nos et heredes nostros prout esset una bona sufficiens et legalis liberacio per ipsum Thomam in hac parte extra Cancellariam nostram predictam per cursum communis legis nostre debita prosecuta et habita et nobis de omni eo quod ad nos pertinere debet in hac parte satisfactum esset et contentatum. Et quod nos et dicti heredes nostri ad seisiendum vel capiendum Castra dominia maneria villas terras et tenementa predicta ac cetera premissa vel aliqua eorundem in manus nostras racione alicuius iuris vel tituli quod vel qui nobis et heredibus nostris per vel post mortem predicti Johannis aut alicuius antecessorum suorum competit seu competere poterit simus . . . exclusi imperpetuum per presentes. Et ulterius de liberiori gratia . . . nostra concessimus et licenciam dedimus prefato Thome quod ipse pro termino vite sue se ipsum extra dictam terram nostram hibernie possit absentare et quod ipse medio tempore et servientes deputati sive attornati sui omnia exitus proficua et commoditates de omnibus castris dominiis maneriis villis terris et tenementis predictis ac ceteris premissis provenientes ad eius usum et proficuum recipere ac eadem exitus et proficua et commoditates sibi in regnum nostrum Anglie seu in dicta terra nostra hibernie ad libitum suum habere recipere et occupare possit absque impeticione vel impedimento nostri aut aliquorum officiariorum seu ministrorum nostrorum quorumcumque—eo quod expressa mencio de vero valore annuo premissorum seu alicuius eorum aut de aliis donis sive concessionibus eidem Thome per nos ante hec tempora factis in presentibus minime facta existit aut aliquo statuto actu sive ordinatione inde incontrarium facto edito sive ordinato non obstante. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium quintodecimo die Junii anno Regni nostro decimo septimo. Nos autem irrotulamentum litterarum nostrarum patencium predictarum ad requisicionem Philippi Bermyngeham armigeri duximus exemplificandum. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste Thoma Bathe milite capitali Barone Scaccarii nostri predicti apud Dublinium quinto die Novembris anno regni nostri decimo septimo.'

Nos autem Georgius Comyn maior civitatis Limerici in hibernia precedentes litteras sigillatas sigillo Scaccarii hibernie vidimus et de verbo in verbum prout supra recitantur perlegimus et ad

requisicionem Johannis Comyn duximus exemplificandas. In cuius rei testimonium sigillum officii maioratus prefate civitatis Limerici presentibus apponi fecimus duodecimo die mensis Junii anno Regni Regis Henrici septimi post conquestum Anglie terciodecimo."

248.

Supplication by Thomas, Earl of Ormond, for restitution in Ireland.

" Humbely sheweth unto youre highnesse youre feithfull and true liegeman and subget Thomas Ormond, brother and heire unto John Ormond, howe be it that the saide John by youre gode grace by auctorite of parliament holden wythynne youre londe of Irland was restored to all the seigneuries, maneres, londes, tenementes, rentes, reversions, servyces, prise wines and advousons of chirches with their appurtenaunces, whiche James, late Erle of Wilteshire and of Ormond was seised of, to have and to holde to the saide John Ormond and to his heires with the state name and dignyte acordyng as by right and title of their auncestres was comyn into the possession of the saide James by force of whiche he therof was seised, and afterwarde died withoute issue of his body comyng. After whose decesse the saide Thomas your suppliant as brother and heire to the saide John Ormond by your gracious licence undre your grete seale entred and toke possession in and of all the saide seigneuries, maneres, londes and tenementes and other the premisses with their appurtenaunces, and so was therof seised in his demesne as of fee; yet nowe late by reason of an acte of Resumpcion made in a parliament late holden in the saide londe before the Erle of Kyldare nowe depute lieutenant undre the right high and myghty Prynce, Richarde Duke of Yorke, lieutenant of the saide londe, is putte oute of possession of the said seigneuries, maneres, londes and tenementes and other the premisses and putte in the former astate of atteyndre to the uttre disheritaunce of youre saide suppliant ayenst all lawe reson and conscience: that therfor it woll please youre gode grace in consideracion of the premisses to commaunde the keper of youre pryve seale to do sette and comprise wythynne the Indentures to be made betwene youre highnesse and the saide Erle of Kyldare, deputy lieutenant for

his deputacion of depute lieutenant of the saide londe, these wordes whiche here after ensuen and elles youre saide suppliant shallbe fynally without remedy and the restitucion made by youre gode grace utterly voided, in lesse the same youre gode grace be shewed in this behalve and on this to commaunde the keper of youre saide pryve seale to do make as many letteres undre the same seale as shall be behouffull in this behalve."

"And on this that where John Ormond Chivaler, otherwise called John Botteller, brother and heire to James late Erle of Wilteshire and of Ormond, late was atteynted by auctorite of parliament holden in the saide londe of Irland, by force of whyche he forfeited all his seigneuries, maneres, londes, tenementes, rentes, reversions, servyces, prise wynes and advousons of chirches with all their appurtenaunces, as in an acte made in the saide parliament more pleynly may appere: and afterwarde the saide John Ormond and his heires by auctorite of an other parliament holden in the same londe of Irland was restored to the saide seigneuries, maneres, londes, tenementes and other the premisses of whiche the saide James was seised, to have and to holde to the saide John Ormond and to his saide heires with the state name and dignyte acordyng as by right and title of their auncestres was comyn in to the possession of the saide James, and the saide acte of atteyndre utterly revoked adnulled and repelled, as in an other acte therupon made also pleynly may appere: and afterwarde the saide John Ormond died without issue of his body after comyng, on whos decesse Thomas nowe Erle of Ormond as brother and heire to the saide John Ormond by licence of the kynge our saide sovereign lorde entred and toke possession in and of all the said seigneuries maneres, londes and tenementes and other the premisses with their appurtenaunces, and so was therof seised in his demesne as of fee, unto nowe late that by reason of an act of Resumpcion made in a parliament nowe late holden in the saide londe of Irland before the Erle of Kyldare, nowe depute lieutenant undre the saide Duke lieutenant of the saide londe, he was and is putte oute of possession of all the saide seigneuries, maneres, londes and tenementes and other the premisses, countre to the entent of oure saide sovereign lorde and to the grete hurte and losse of the saide Thomas Erle of Ormond: the Kynge oure saide sovereign lorde consideryng that woll and graunteth by thes indentures

that if the same nowe late parliament yet endure, that thenne a gode and a lawfull proviso be made by thadvyse of the saide Thomas Erle of Ormond lerned counseill and to be entred in the rolles of the same parliament, that the same acte of Resumpcion extende not nor be prejudiciall to the saide Thomas Erle of Ormond nor to his heires nor to the saide seigneuries, maneres, londes and tenementes and other the premisses. And if the same parliament be dissolved, that thenne the saide depute lieutenant surcese to execute the saide Acte of Resumpcion late made before hym ayenst the saide Thomas Erle of Ormond, but to suffre hym and his heires to have and enyoie the saide seigneuries, maneres, londes and tenementes and other the premisses and to take the profites of the same and to lete them and eny of them to ferme and make his officers in the same at his plesure withoute eny interrupcion or lette of the saide depute lieutenant or eny other officer what soever he be, and that the same depute lieutenant at the next parliament to be holden wythynne the saide londe do make by auctorite of the same parliament the same acte of Resumpcion late made before hym ayenste the said Thomas Erle of Ormond and his heires to be revoked, repelled and utterly adnulled, and the saide acte of Restitucion made for the saide John Ormond to be approved, accepted, ratified and confermed."

Dorso : A Supplicacon for Restitucon in Irland of Thomas erle of Wilshir and Ormond to his blod and repeal of an act past for general atteinder.

[The above document may be dated *circa* 1478. Earl John died in 1477. His attainder was reversed in the Irish parliament of 1475. His brother Thomas, suppliant here, was restored to the Earldom and died in 1515].

249.

Inspeximus by Edward IV of an act of the Irish Parliament annulling the acts of the Earl of Kildare's parliament of June, 1478. [Deed is much frayed].

" Edward by the grace of God, King of England, etc., to all, etc., greeting. We have inspected a certain statute, act or ordinance passed in our parliament held at Trim on Friday next after the feast of All Saints [November 6, 1478] last past before

our beloved Henry Grey, Lord Grey, deputy of our beloved son George our Lieutenant of Ireland, and thence adjourned to our town of Drogheda, as also there on Thursday next before the feast of St. Catherine, in these words." [For the statute itself *see* Donough Bryan: *The Great Earl of Kildare*, who gives it in full. It is to the effect that, whereas the King, by letters both of privy seal and of signet directed to Gerald, Earl of Kildare, pretending to be Justiciar of Ireland, forbade him to continue in that office or to summon any parliament in that land or to pass any subsidy, toll or tax therein, and also forbade by letters to the mayor of Dublin, etc., that any subjects should pay such subsidy if any were demanded by the said Earl in such parliament, nevertheless the Earl summoned the pretended parliament at Naas in June 1478, in which certain acts were passed and a subsidy granted].

"Upon which, by authority of the present parliament the acts, etc., of the said pretended parliament are declared null and void and penalties imposed upon all who shall keep in their possession the records, etc., of these acts."

"We have also inspected the tenour of a certain provision made in an Act of Resumption in our said parliament at Drogheda [as above] held before the said Deputy [Lord Grey] on the same day in these words: 'Provided at all times that the act of resumption shall not extend, nor be in any manner prejudicial, to Edmund Pieresson otherwise called Edmund fitzPiers Butteler, or by whatsoever other name he be named or called, with regard to a grant made to him of £40 on the fee-farm of Limerick."

"We therefore have thought fit to exemplify by the tenour of these presents both the said act [of resumption], as well as the tenour of the said provision, at the request of Walter Bray, petitioner for said Edmund.

In witness whereof we have had these our letters patent made.

Teste Robert Preston, knight, lord Gormanston, deputy to the abovesaid Deputy, at Dublin on the 24th day of February in the 18th year of our reign."

Cogley.

February 24, 1479.

[See Statute Rolls, Ireland, Edward IV (pp. 25–29) for a parliament, held on October 15, 1462, under Sir Roland fitzEustace,

deputy of George, Duke of Clarence, which passed an act of Attainder against James, Earl of Wiltshire and Ormond, and his brothers, John and Thomas. They had been attainted at Westminster on November 4 in the preceding year, 1461. The Irish parliament proceeded to attaint them also with other Butlers and their adherents and to declare forfeited to the King all their lordships and lands.

In the Irish parliament of 7–8 Edward IV, beginning on December 11, 1467, and continuing with various intermissions until November 3, 1468, the attainder of James son of Edmund Butler was reversed (*ibid.* p. 487). The published Statute Rolls of Edward IV cease however in 1472. The attainders of James, Earl of Ormond, and his brothers, John and Thomas, were finally reversed in the Irish parliament of 1475. The above documents reciting the reversal, which we give in full are therefore interesting as being yet unpublished].

250.

Sentence given by the Bishop of Ferns.

[Latin original abbreviated].

" John, by the grace of God and the Apostolic see bishop of Ferns, greeting, etc. Know that there appeared before us sitting in judgment William son of David Sutton, stating that he had married Anastasia daughter of Meiler Walche contary to law, and asked that Anastasia should be cited to hear petition in the same case. We therefore had Anastasia summoned in person on a certain day and place. Upon which day appearing before us, William proffered his petition against the said Anastasia, which being read we had a copy handed to Anastasia, the tenour of which is as follows :

' In the name of God, amen. Before you, reverend father in Christ, and John, bishop of Ferns, etc., William son of David Sutton declares against the said Anastasia, his pretended wife in fact though not in law, that he married a certain Joan Walche publicly in the face of the church before the contract made and begun between himself and Anastasia. Wherefore he seeks to have the contract so made declared null and void and said marriage between himself and Joan Walsch approved and restored. This petition having been read, we ordered a copy of

it to be handed to Anastasia, and fixed a day for the hearing of the cause and the summons of witnesses. On which day the said William appeared, but Anastasia was contumaciously absent. Wherefore we declared her contumacious and under pain of contumacy and fixed a further day for the case. On which day we received and carefully examined witnesses produced by William for the support of his cause, whose names and depositions follow.

'Thomas Sutton first witness, of sixty years of age and more, being questioned on the point of the first marriage, says that it contains the truth. Asked how he knows, he says that he was present and saw and heard when abovesaid William Sutton contracted matrimony with Joan Walche in the church of St. Finnbar of the Island before many people. As to the time, he says that it was twenty-four years ago. Asked further as to the day, he says that it was Friday next after the feast of St. Michael in the same year.

Eugene 'Cordulator,' second witness, questioned on the point of the first marriage, says that he heard that the said William married Joan in the said church. As to the time he says that it was twenty years ago and more.

Laurence Serlog, third witness, also testifies that he was present at the marriage to Joan on Friday thirty years ago as he thinks, five years before any contract was celebrated in the face of the church between William and Anastasia.

Philip Ohikey, fourth witness, examined, etc., agrees with the first witness in all his statements.'

Consequently we published the statements of the same witnesses as by law they should be published and assigned a day and place for objections to the evidence and persons of the witnesses, and ordered a copy of the depositions to be handed to those seeking (*petentibus*) it. On which day and place William appeared (but Anastasia remained absent) and claimed that there was nothing canonical against the evidence and persons of the witnesses on which he founded his full intention and asked that the case might be concluded. We then fixed a further day for Anastasia to show objection, or to have her malice proved. At which term said William appeared, but Anastasia remained absent. Finally we made William swear on the gospels to tell us the truth as regards the point on which the witnesses were examined; and he took

solemn oath that all the contents of the first points were and are true. Whereupon we fixed a day and place again for the conclusion of the matter. On which day William appeared, but Anastasia remained absent. Wherefore we proclaimed her contumacious and in pain of contumacy, and fixed another day for giving judgment. On which day William appeared, but Anastasia remaining absent, we declared her contumacious, etc., and declared that she should be summoned in the form following :

' In the name of God, amen. Having heard, seen and read the merits and circumstances of the matrimonial case pending before John, bishop of Ferns, between William Sutton, the plaintiff (*partem actricem*), and Anastasia Walche, etc., the accused, his pretended wife, and because by worthy witnesses and lawful documents to which there was no canonical objection we found that the said William had fully proved his intentions, namely that he had lawfully married Joan Walche formerly his lawful wife, now dead, prior to a certain marriage union made and solemnised in the face of the church between William and Anastasia—therefore in the name of Christ and by the advice of experts in law giving us counsel, we affirm, validate and restore the marriage between William and Joan as lawfully contracted. And further invalidate, withdraw and declare null and void the contract made between William and Anastasia while said Joan was still alive. And do order that the dower and marriage settlement made between William and Anastasia on account of their nuptuals shall be restored on one side and the other by this definitive sentence, which for the sake of justice we have made and promulgated in these writings : there being present Sir Walter Foller, archdeacon of Ferns, Philip Prendergast, precentor of Ferns, and many other witnesses specially summoned, together with a public notary, master William Laffan, scribe in the said courts, who however died before these acts were drawn up in public form, whose place the said witnesses may be held to fill.

In witness whereof we have affixed our greater seal.

Given on the 22nd day of June in the year 1479, in the parish church of Fethard.'

And we Sir Philip Prendergast, chaplain of the said Lord bishop, and Laurence Byrdsall, (*bedellus*), were present as witnesses at all and singular the above, the public notary having

died. In witness whereof we have alternatively set our seals to these presents on the said day, month and year."

June 22, 1479. Seal of the bishop of Ferns and two others.

Dorso : A sentence yeven by the busshop of Fernes betwixt William fitz David Sutton and Anastace Walsh concerning ther marriadge.

The latin text of this interesting case is as follows.

" Universis Christi fidelibus presentes litteras inspecturis Johannes Dei et apostolice sedis gracia ffernensis episcopus salutem in domino eternam et presentibus fidem adhibere indubiam ne super illud quod iudicialiter legitime est actum propter defectum probacionum aliquibus scrupulus hesitacionis oriatur. Universitati vestre presencium tenore innotescimus quod coram nobis ad iura reddenda pro tribunali sedentibus comparens probus et honestus vir Willelmus filius David Sutton in iure proposuit quod iniuste et contra iuris formam de facto matrimonium cum Anastacia filia Meleri Valche contraxit. Unde ex stimulo consciencie motus peciit ipsam Anastaciam citari ad audiendam peticionem ipsius Willelmi in eadem causa. Nos peticionem, ipsius considerantes fore iure consonam, ad ipsius instanciam eandem Anastaciam personaliter citari fecimus ad sertum [*sic*] diem et locum, quibus die et loco, comparentibus coram nobis pro tribunali sedentibus utraque parte, dictus Willelmus peticionem suam contra et adversus dictam Anastaciam personaliter at tunc in iudicio comparentem inscriptam porrexit, qua perlecta ipsius peticionis copiam dicte Anastacie decrevimus fore tradendam, cuius tenor sequitur et est talis.

' In Dei nomine amen. Coram vobis reverendo in Christo patre et domino domino Johanne dei gracia ffernensi episcopo seu alio vestre curie legitime dicit alegat et in iure proponit probus et honestus vir Willelmus filius David Sutton contra et adversus Anastaciam filiam Meleri Valche suam pretensam uxorem, licet de facto et non de iure, quod idem Willelmus contraxit cum quadam Johanna Valche publice in facie Ecclesie ante quodcumque contractum habitum vel initum inter ipsos Willelmum et Anastaciam, quare petit dictus Willelmus dictum matrimonium sic defacto coniunctum inter ipsum et dictam Anastaciam decerni

et declarari nullum et irritum, ac dictum matrimonium inter ipsum et Johannam Valche approbari reintegrari et restaurari, ceteraque et exerceri que vestro in hac parte incumbunt officio. Qua peticione perlecta, copiam ipsius dicte Anastacie tradi mandavimus et diem pro advocacione huius eidem prefiximus et assignavimus ac partes ad totam causam et quodlibet eius articulum necnon et ad audiendam summam diffinitivam si liceret in causa presise et peremptorie citavimus. Quo die adveniente, predictus Willelmus comparuit, predicta Anastacia se contumaciter absentante, unde ipsam merito prout erat decrevimus contumacem et in penam ipsius contumacie ad ulteriora, et ipsam causam fore procedendam et terminum competentem et diem ad deliberandum et adiurandum de calumpnia et veritate dicenda partibus prefiximus et assignavimus. Ac subscriptis tribus vicibus et de iure opportunis in ipsa causa requisitis rite et canonice observatis, testes per dictum Willelmum ad eius intenciones fundandas productos die et loco sibi assignatis in forma iuris iuratos recepimus ac diligenter examinavimus, quorum nomina et deposiciones sequuntur.'

'Thomas Sutton primus testis lx annorum et amplius etatis productus iuratus et diligenter examinatus super articulum prioritatis contractus, dicit quod continet in se veritatem. Interrogatus quo modo hoc scit, dicit quod interfuit vidit et audivit quum Willelmus filius David contraxit matrimonium in facie ecclesie publice cum Johanna Walsche in ecclesia sancti Finbarri 'de Insula' coram pluribus et dicit de tempore requisitus quod xxiv annos elapsos et ulterius. Interrogatus de die dicit quod die Veneris post festum sancti Michaelis Archangeli eodem anno etc.; nec prece vel precio deponit etc. Eugenius 'cordulator' secundus testis sic iuratus, competentis etatis, interrogatus super priore coniunctu dicit quod audivit quod dictus Willelmus contraxit cum prefata Johanna Valche in dicta Ecclesia sancti Fynnbarry. Requisitus de tempore, dicit quod ad xx annos elapsos et ultra et in ceteris concordat cum preconteste.'

'Laurencius Serlog tercius testis productus iuratus et debite examinatus, interrogatus super illo articulo an continet veritatem, dicit quod sic. Requisitus qualiter hoc scit, dicit quod interfuit vidit et audivit quum Willelmus Sutton contraxit matrimonium cum dicta Johanna Valche in ecclesia sancti Finnbarri 'de Insula' die veneris ad xxv annos elapsos ut estimat, per v annos

ante aliquem contractum in facie ecclesie celebratum inter ipsum Willelmum et Anastaciam dicti Meleri Valche etc. Interrogatus an deponit prece vel precio, dicit quod non sed ut veritas sciatur. Philippus Ohiky, quartus testis productus iuratus et ut supra interrogatus super dicto articulo, concordat cum preconteste suo in omnibus suis dictis licet aliis verbis etc.'

'Consequenter dicta ipsorum testium publicavimus prout de iure erant publicanda ac diem et locum competentem ad obiciendum contra dicta et personas testium prout de iure erant publicanda prefiximus et assignavimus ac copiam attestacionum petentibus tradi mandavimus. Quibus die et loco advenientibus, comparens dictus Willelmus, dicta Anastacia se contumaciter absentante, peciit cum nil canonicum erat obiectum contra dicta et personas testium per que plenam suam intencionem fundavit, peciit in dicta causa concludi.'

'Nos vero ad convencendam (*sic*) maliciam ipsius Anastacie alium terminum ad obiciendum contra dicta et personas testium ut prius si velit et ad alia omnia et singula in iure et in facto proponenda prefiximus et assignavimus. Quo termino adveniente, dicto Willelmo apparente, antedicta Anastacia ut prius contumaciter se absentante, nihil in iure vel facto proponenda, demum nos iudex antedictus ex nostro officio ipsum Willelmum tactis sacrosanctis dei evangeliis iurare fecimus dicere nobis veritatem quem scivit super illo articulo super quod testes fuerunt examinati, ac ipse respondebat et dicit iuramento prius prestito et prout respondere habeat in districta examinacione quod contenta omnia in illo articulo fuerunt et sunt vera. Demum nos diem et locum competentem ad concludendum in causa et concludi audiendum prefiximus et assignavimus, quibus die et loco predictus Willelmus personaliter comparuit dictaque Anastacia contumaciter se absentante et ipsam prout merito erat contumacem reputavimus et in penam contumacie ipsius Anastacie in eadem causa conclusimus et dicto Willelmo locum et diem competentem ad summandum et summari videndum prefiximus et assignavimus, quibus die et loco, ipso Willelmo comparente et dicta Anastacia contumaciter ut prius absentante, ipsam prout merito erat contumacem reputavimus et in penam eius contumacie decrevimus fore summandam et summavimus sub forma que sequitur.

'In dei nomine amen. Auditis visis et plenius intelectis meritis et circumstanciis cause matrimonialis coram Johanne, permissione divina ffernensi episcopo, mote pendentisque aliquando indecise inter Willelmum filium David Sutton partem actricem et Anastaciam filiam Meleri Valsh partem ream eius defacto uxorem pretensam, et quia per testes fidedignos non nullaque alia documenta legitima quibus nichill canonicum erat obiectum seu probatum invenimus dictum Willelmum suam intencionem ad plenum fundasse probasse, videlicet quod dictus Willelmus precontraxit et in matrimonium solemnizavit in facie ecclesie cum Johanna Valche quondam eius legitima uxore iam mortua ante aliqualem coniunctum matrimonialem habitum et solemnizatum in facie ecclesie inter ipsum Willelmum et Anastaciam predictam. Igitur Christi nomine primitus nuncupato de iuris peritorum consilio nobis in hac parte assistencium matrimonium inter ipsum Willelmum et Johannam predictam legitime coniunctum affirmamus validamus et reintegramus matrimoniumque exinde defacto coniunctum inter ipsos Willelmum et Anastaciam, vivente ad tunc Johanna prenominata, infirmamus invalidamus rectractamus et divorciamus ac irritum et inane decernimus et declaramus ; dotem et donacionem propter nupcias inter ipsos Willelmum et Anastaciam hinc inde decernimus fore restituendas per hanc nostram sentenciam diffinitivam, quod mediante iusticia in hiis scriptis ferimus et promulgamus, hiis testibus presentibus : domino Waltero ffoller archidiacono ffernense, et domino Philippo Prendregast precentore dicte Ecclesie ffernensis ac pluribus aliis presentibus testibus ad hoc specialiter requisitis, unacum notario publico magistro Willelmo Laffan supradicte cause scriba in omnibus et singulis articulis seu actibus eiusdem qui antequam eadem acta in publicam formam erant deducta diem clausit extremum, cuius vices dicti testes valeant perinplere. In cuius rei testimonium sigillum nostrum quo ad maiora utimur duximus appendendum. Datum anno domini millesimo quadringentesimo septuagesimo ix° mensis vero Junii die xxii° in ecclesia parochiali de Fithard in qua quidem ecclesia prius summa lecta et lata erat die anno et mense supradicto.

Et nos dominus Philippus Prendyrgast capellanus dicti domini episcopi et Laurencius Byrdsall bedellus omnibus et singulis premissis presentes personaliter tanquam testes interfuimus

notario publico deficiente. In quorum omnium et singulorum fidem et testimonium signeta nostra alternatim presentibus apposuimus anno die et mense supradictis."

251.

Indenture (in English) made at Kilkenny on the 7th day of February in the year 1479 between Walter son and heir of Thomas Purcel, lord of Ballypoyll in county Kilkenny, and Philip fitz Gefferowe witnesses that Walter has given and granted to Philip his heirs and assigns a farm of his place of Aghyglyn in county Kilkenny for a term of fifteen years.

February 7, 1480. Seal.

252.

Letters patent of Edward IV (in English: badly frayed), relative to the Earl of Ormond's right of prise wines.

"Edward, King of England, etc., to the mayor, bailiffs and commonalty of our city of Limerick, greeting. Whereas our right trusty and well-beloved Thomas, Earl of Ormond, brother and heir of John Ormond, late Earl of Ormond, has made supplication that howbeit said John by our grace by the authority of parliament held in our land of Ireland was restored to all seignories manors, lands, tenements, prise of wines, etc., of which James, late Earl of Ormond and Wiltshire, was seised/to have and to hold to the said John, and his heirs, with the estate, name and dignity according as by right and title of their ancestors came into possession of the said James, by force of which he was seised thereof and afterwards died without issue of his body/coming after whose decease the said Thomas, Earl of Ormond, as brother and heir to John, by our licence under our Great seal entered upon and took possession of all the said seignories, etc., and was so seised in his demesne thereof as in fee, yet now by reason of an Act of Resumption made in a parliament held in Ireland before the Earl of Kildare, deputy Lieutenant unto our dear son Richard, Duke of York, he is put out of possession of said seignories, etc., and put into the former estate of Attainder to his utter disinherison and against all reason, law and conscience and to our displeasure. We therefore in consideration of the premisses

have straightly charged the said deputy Lieutenant, to make such good and effectual provision, act and ordinance as by the . . . . . of the said Thomas Earl of Ormond's council shall be conceived and . . . . . the continuance of his inheritance . . . . . entered in the rolls of the said parliament. So that he and his heirs may occupy and enjoy all the said seignories according to his right and inheritance and in as ample a manner as any of his ancestors, the act of said parliament or any act or ordinance to the contrary made notwithstanding. And if the said parliament be dissolved and finished so that this command can take no effect, we have straightly charged the said deputy Lieutenant . . . . . to suffer said Thomas and his heirs to have and enjoy the prise wines and other profits of the same to his own use and to let them to farm at his pleasure, without impediment of the said deputy Lieutenant or any other, and that said Act of Resumption, as made before him touching the said John, Earl of Ormond, be repealed and utterly annulled, and said act of restitution made for said John, Earl of Ormond, be ratified and confirmed without impediment by the deputy Lieutenant or any other that now has occupancy of the said Earl's inheritance, but they shall suffer the said Thomas to enter and do his pleasure in the same. Wherefore we charge you and any of you to surcease from execution of the above act of resumption made to the prejudice of said Thomas, and to suffer him and his heirs to have all said seignories within the said city of Limerick and to receive all issues and profits of the same to his own use as have been due since the above act of restitution and to let him and his heirs assign their officers therein without impediment of you or any of you or others in your name. Any colour or point of your franchise or said act of resumption or any other act, ordinance, provision or restraint had or made to the contrary notwithstanding. And that you nor none of you fail herein in any part as you would avoid our greatest displeasure.

These letters to be sufficient warrant and discharge against us and all our officers and ministers.

Given under our privy seal at the Tower of London on the 6th day of April in the 21st year of our reign."

Tilaghmayn.

April 6, 1481.

[For this Act of Resumption *see* Bryan: *The Great Earl of Kildare*, pp. 38, 39, 47–49.

Lord Grey, sent over as Deputy by Edward IV, found himself opposed by Gerald, Earl of Kildare, who had been elected Justiciar by the Irish Council. He held a parliament at Trim in November 1478 which continued till November the next year, and which among other acts passed one of Resumption of all the King's castles, lands, etc., wardships, fees, wages, licenses of absence, etc., going back to Henry VI. Finally Grey was superseded and the King created the Earl of Kildare deputy. Further he quashed the act of Resumption but directed Kildare to pass a new one. This was enacted in a parliament held from May to July 1480; it covers the whole period since the beginning of Henry VI's reign but includes a sweeping list of exemptions. Kildare was also empowered to make provisos and exceptions at his pleasure. The Earl of Ormond became alarmed and addressed a petition to the King which Bryan quotes in full (p. 49). This is in the London Public Record Office; Bryan dates it as soon after August 12, 1480. It is not the same document as the supplication we give above, number 248].

253.

Deed of attorney by James Coterell, burgess of Kilkenny, son and heir of Adam Coterell appointing John Asmowne, burgess of Kells, his attorney for placing William son of Henry Coterell in seisin of a parcel of land called Harperysrathe with nine acres arable in the barony of Erley in the Newtown of Erley, to have and to hold to him and his heirs for ever.

June 15, 1481. Coterell seal.

254.

Two Deeds.

1) James son and heir of Adam Cotterel gives and grants to Edmund son of Richard Purcell all his lands in the tenement of Grollyn in county Kilkenny, to have and to hold to him and his heirs for ever.

Given at Kilkenny on the last day but one of November in the year 1481.

November 29, 1481. Seal.

2) Deed of attorney by above appointing William Purcell to deliver seisin.

Same date. Seal.

255.

Public instrument made on the 9th day of July in the year 1482 in the parish church of St. John the Baptist of Cashel, to the effect that there appeared in the presence of the notary and witnesses below-named, Walter son of William Hakede, layman of Cashel diocese, to prove that if Walter, son of the late Henry de Burgo formerly burgess of Cashel, made or had made to Richard, his bastard son, certain charters, he was compelled thereto by violence of Lord James, Earl of Ormond ; and he now requested the public notary to receive and examine witnesses for a perpetual memory of the matter. (The evidence of witnesses then follows).

John Rowe, first witness, examined, etc., says that he saw the above Walter de Burgo taken in the town of Cashel by John Broun, then sheriff of the Cross of county Tipperary and the reeve of Cashel, by command of the said Earl and taken by them under arrest to Kyllenayl to the same Earl ; also he heard from the same Walter afterwards as well as by common fame that Walter was not set at liberty until he was compelled to give Edmund fitz Pers Boteller, James Howlyng, James Brittoun and other pledges to the same Earl for making at the will of the same Earl charters with regard to certain lands for Richard his son, and so witness believes upon his soul that Walter was compelled to make charters to the said Richard's son by such coercion.

Rosina Bekede, second witness, says she was formerly an apprentice (*apprenticia*) to John Broun, sheriff aforesaid, and saw him and the reeve of Cashel, by command of Earl James, arresting and leading Walter de Burgo to Killenayll, etc., and she heard from them after their return that Walter would have been committed to prison at Carrick castle unless he would undertake to the Earl that he would make such charters to Richard his bastard son, and so she heard and believes by common voice, etc.

Richard, son of Adam Walch, burgess of Cashel, third witness, says that he was reeve of Cashel formerly and that the lord Earl sent for him to come to him on a certain day at Fethard. And

when he came and humbly saluted the Earl the latter declared that in virtue of his office he should take said Walter at his instance to Killenayl on the following day. And when witness said that he could not by his office, and ought not, to take or arrest any burgess of Cashel except only for rents in the same, then the Earl ordered John Broun, sheriff, then present as also the witness, to lead Walter prisoner on the day after to Kyllenayl. And when himself and John Broun, sheriff, came with Walter to the Earl's prison in the castle of the town of Killenayl, the same Walter, seized with great terror, humbly asked his lordship that if he wished to mutilate him in foot, hand or any other member or intended in any other way to wreak his will on him to do it instantly and let him go for good. Then the Earl replied that he did not intend this, but that he wanted him taken to the prison of Carrick castle and that he ought to lie there. Then the Prior of Athassel who was present begged the Earl not to proceed so rigorously against Walter and that he should have from him whatsoever he wished at his pleasure. The Earl then had Walter brought to his room and he was there with the Earl and others in council for a long space and whatever was finally agreed between them Walter was sent home in peace. Asked what took place in that council, the above Richard said that he heard from Walter himself after his return to Cashel that the Earl sent him home on this condition, namely, that he must make charters to Richard his bastard son for his lands.

Walter Wodelok, fourth witness, says he saw said Walter de Burgo led by the above John Broun and the reeve at the command of the Earl to Clonmel to the same Earl and heard that it was so that he should make charters to his son Richard, and that he was so taken and persecuted by the Earl. He also states that he heard afterwards that Walter was taken and led at the Earl's instance to Kyllenayll and there by great threats was compelled to make charters, etc., for his son Richard. (The evidence of the fifth and sixth witnesses curiously is missing).

Margaret Iniscahayn, seventh witness, says that she saw the said Walter taken by John Broun and the reeve and that they led him to the Earl, and that the Earl also despoiled him of various goods, and that Walter had to make charters, etc., as above.

Anastasia Iny Byrayn, eighth witness, widow of Donald O

Slatera, then serjeant of the above Richard Walch, reeve, saw the said Walter taken as the above witnesses say, etc.

All these witnesses having been received and examined, the said Walter asked the notary to make true copies of their evidence so that the truth of the affair should never be hidden. The notary therefore made a public instrument to that effect ; there being present Sir Adam O'Hyfernayn, canon of Cashel and public notary, William Grygoyre, burgess of Cashel, William O'Hartigayn, ' aque baiulo,' and William O'Falone, merchant of the same town, and others specially summoned.

Sign and declaration of the notary, Richard Trewes of the diocese of Cashel.

July 9, 1482.

The latin of this entertaining deed is as follows.

" In dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter et sit notum quod anno a nativitate Domini secundum cursum et computacionem Anglicane et Hibernicane ecclesiarum millessimo quadringentesimo octuagesimo secundo indictione decima quinta pontificatus sanctissimi in Christo patris ac domini domini nostri Sexti digna dei providencia pape quarti anno undesimo die vero nono mensis Julii in ecclesia parochiali sancti Johannis Baptiste de Cassell Cassellensis diocesis in mei notarii publici infrascripti et testium subscriptorum presencia, personaliter constitutus discretus vir Walterus filius Willelmi Haked laicus Cassell antedicte diocesis infrascriptos /ad probandum quod si quas cartas aut sitalia (*sic*) bone memorie Walterus filius Henrici de Burgo quondam burgensis ville de Cassell antedicte fecit aut fieri iussit Ricardo filio suo bastardo hoc mediante violencia et omnino per recommendande memorie dominum Jacobum Comitem Ormonie coactus fecit / testes mihi notario publico ad futuram et perpetuam rei memoriam in forma juris recipiendos et examinandos deduxit et presentavit ; modo quo sequitur deposuerunt. Johannes Rowe primus testis receptus, iuratus et examinatas interrogatus super dicto articulo, dicit quod vidit predictum Walterum de Burgo captum in villa de Cassell per bone memorie Johannem Broun

tunc vicecomitem Crocie comitatus Typerarie ac prepositum dicte ville de Cassell auctoritate et mandato supradicti domini Comitis et sub aresto domini Comitis ductum per ipsos ad Kyllnayll ad ipsum Comitem et audivit ab ipso Waltero postquam reversus erat domi ac eciam fama publica et communi voce quod idem Walterus nunquam erat sue libertati dimissus donec opportebat ipsum dare Edmundum fytz Pers Boteller, Jacobum Fulyng, Jacobum Brytoun et alios bonos et potentes fideiussores eidem domino Comiti quod iuxta ipsius domini Comitis voluntatem faceret cartas aut taliam super quibusdam terris suis eidem Ricardo filio eiusdem Walteri, et sic ipse testis in anima sua credit quod ipse Walterus huiusmodi coaccione ductus fecit huiusmodi cartas eidem Ricardo prout ulterius audivit ab ipso Waltero et communi reputacione omnium et non deponit, etc.

Rosina Bekede secunda testis similiter recepta et examinata requisita de articulo dicit quod ipsa fuit olim apprenticia bone memorie Johannis Broun vice-comitis supradicti et vidit ipsum Johannem et prepositum ville de Cassell ex iussu domini Jacobi comitis Ormonie arestando et capiendo ipsum Walterum de Burgo et ipsum ducendo versus Kylnayll ad ipsum dominum Comitem, et audivit ab eis post reversionem ipsorum quod Walterus esset traditus carceri castri de Carryg nisi sufficienter caveret ipsi domino Comiti quod faceret taliam Ricardo filio suo antedicto super quibusdam terris suis, et audivit quod ad hoc solumodo erat captus ipse Walterus, et sic ipsa credit et audivit communi voce et reputacione ; non deponit prece nec precio odio nec amore, etc.

Ricardus filius Ade Wach burgensis ville Cassell tercius testis receptus et examinatus, requisitus super articulo dicit quod ipse fuit prepositus dicte ville de Cassell quondam et dictus dominus Comes misit ad eum quod deberet venire ad ipsum certo die ad villam Ffyardie et cum venit et salutavit humiliter ipsi domino Comiti mandavit sibi dominus comes quod intuitu officii sui deberet ipsum Walterum predictum capere ad instanciam eius ad Kylnayll sequenti die sic captum ducere, et cum ipse testis tunc dixit quod ex suo officio non potuit nec debuit aliquem burgensem capere nec arestare nisi solum pro redditibus domini Cassellensis dictus Comes tunc mandavit Johanni Broun vicecomiti supradicto adtunc presenti ac eciam ipsi testi quatenus eundem Walterum captum sibi ad Kylnayll ducerent crastino die,

quod sic fecerunt. Deponit eciam interrogatus quod cum ipse ac dictus Johannes vicecomes cum ipso Waltero sic venerunt ad presenciam ipsius domini comitis in castro ville de Kylnayll idem Walterus maximo timore perterritus rogavit humiliter et devote dominacionem ipsius domini comitis ut si vellet ipsum pede manu aut aliquo alio membro mutilare sive quodcumque intendebat sibi in finali proposito facere id incontinente faceret et ipsum ulterius ab eo dimitteret, et dominus Comes tunc respondebat quod hoc non affectavit, sed quod ipsum voluit duci ad carcerem castri de Carryg et quod ibi deberet iacere. Tunc dominus Prior de Athassell qui erat presens protunc, hoc audiens, supplicavit attente ipsi domino Comiti quod ita rigorose contra ipsum Walterum non procederet et quod haberet ab eo quodcumque vellet ad libitum sue voluntatis. Comes vero hoc audito fecit ipsum Walterum statim duci ad cameram suam et ibi fuit cum ipso domino Comite et aliis quibusdam in concilio privato per longum spacium et qualitercumque erat inter eos tunc conventum ipse Walterus fuit in pace dimissus ad domum suam. Requisitus numquid scit quid in illo concilio impositum aut iniunctum fuit ipsi Waltero, dicit quod audivit ab ipso Waltero postquam reversi fuerunt ad Cassellum quod sub ista condicione dimisit eum dominus Comes, videlicet quod deberet facere cartas sive sitalia (*sic*) Ricardo filio suo bastardo super suis terris et quod ad hoc uno proposito erat captus et hoc ideo ut dominium sive terre ipse non venissent ex parte Katerine filie eiusdem Walteri ad aliquos alios extraneos heredes aut naciones. Requisitus de fama, deponit quod de hoc erat publica fama ac communis vox et reputacio hominum protunc in villa de Cassell, non deponit prece nec precio etc.

Waltero Wodlok quartus testis receptus iuratus et in forma iuris diligenter examinatus interrogatus de veritate articuli deponit quod vidit ipsum Walterum de Burgo captum per antedictos Johannem Broun et prepositum iussu domini Comitis predicti et sic sub aresto domini Comitis ductum ad Clo[n]meliam ad ipsum Comitem, et audivit quod ad hoc ut faceret cartas ipsi Ricardo filio suo super suis terris fuit sic captus et multipliciter per ipsum dominum Comitem vexatus. Deponit eciam quod audivit postmodum quod idem Walterus erat captus per eosdem et deductus ad instanciam domini Comitis ad Kyllnayll et ibi per maximas minas et terrores formidabiles ipsius domini Comitis

coactus fuit facere cartas eidem Ricardo super terris illis et sic communi voce audit et ita credit, non deponit etc.

Margareta Iniscahayn septima testis recepta iurata et similiter examinata, interrogata, deponit quod vidit ipsum Walterum captum per antedictos Johannes Broun et prepositum et quod adduxerunt ipsum ad Comitem. Et uxor ipsius nesciens qua de causa fuerat captus et timens quod esset per ipsum dominum Comitem omnibus suis bonis spoliata portavit macretas [*sic*] frumentum et alia plura de bonis suis ad domum ipsius testis custodienda, et audivit postea ab ipso Waltero et aliis quod oportebat ipsum Walterum conficere cartas ipsi Ricardo huiusmodi suo filio antequam dominus Comes ipsum ab eo dimisit et ita communiter audivit. Non deponit prece nec precio etc.

Anastasia Inybyrayn octava testis que fuit uxor Donaldi i Slatera, tunc servientis illius Ricardi Wach prepositi, deponit quod vidit ipsum Walterum captum prout alii deponunt, et interrogata de auditu fama communi voce et credulitate, concordat in omnibus et per omnia cum precontestibus. Non deponit prece nec precio etc.

Quibus quidem testibus sic receptis et examinatis supradictus Walterus filius Willelmi, ne memorie hominum et vite labilitate pensata veritas occultari probacionis copiam sibi in posterum deficere contingeret, me notarium publicum infrascriptum debita cum instancia rogavit et requisivit quatenus dicta et attestaciones predictorum testium fideliter conscriberem ac super eis pro competenti salario publicum conficerem instrumentum. Presentibus domino Adam O Hyfernayn, canonico Cassellensi ac notario publico, Willelmo Grygoyre burgensi ville de Cassell, Willelmo O Hartagayn aquebaiulo ac Willelmo O Falone mercatore eiusdem ville, et aliis pluribus testibus ad premissa vocatis specialiter et rogatis."

256.

Katherine fitzJohn quit-claims to James Blansvyle and Anastasia Arstekyne, his wife, all her claim in " Villa Castowne." To have and to hold the said " Villa Castowne " in the tenement of Tascuphyn with all its rights and appurtenances for ever.

October 12, 1482. Seal of Katherine fitzJohn perfect.

Dorso : Castowne co. Kilk. in tenemento de Tascuphin.

257.

William John son and heir of Stephen son of William John of the Geraldines (*Willelmus Jhon filius et heres Stefiny filii Willelmi Jhon de Jeraldinys*) gives and grants to Dermot O'Manyng of Baligeran all his lands and tenements, namely the castle and town of Rakistobar . . . in the barony and town of Baligeran with moors, meadows, woods, heaths, etc., and also all tenements in the burgagery of the said town.

Given at Kilkenny on the last day but one of October in the 22nd year of Edward IV.

October 30, 1482. Two seals complete.

258.

Two Deeds.

1) John Swetman, gentleman, gives and grants to James Butler, son of Edmund fitzRichard Butler, the manor of Balykyth with all its appurtenances, to have and to hold to the said James. In witness whereof he has set his seal, and because his seal is unknown to many he has caused the common seal of the town of Callan to be affixed in the 23rd year of Edward IV (day and month obliterated).

[1483]. Seal of Callan perfect and one other.

Dorso : The purches of Ballykyff to the L. Piers father.

2) Quit-claim of the above.

Seal of Callan and one other.

259.

Indenture (in English) made on the 26th day of May in the year 1483 after the death of King Edward IV. between James Troy son and heir of John Troy of the Irishtown of Kilkenny with the consent of Thomas Troy his cousin on the one part and Redmund fitzDavy M^{c}Ode Astekyn, gentleman of county Kilkenny, on the other, witnesses that said James has given and granted to said Redmund his heirs and assigns the two Ardaghys with all their appurtenances for the term of seventeen years next to come.

May 26, 1483. Seal complete.

260.

David, son of Philip Hyland, burgess of the town of Carrickmagriffin, confirms to John Lang, citizen of Waterford, his heirs and assigns, one tenement and a garden in the same town ; which tenement lies in length from the land of Patrick Molgan on the west to the land of John Flemyng on the east, and in breadth from the land of Thomas Neele on the north to a deep lane of the said town on the south, for the accustomed services, etc.

August 23, 1483.

261.

Inspeximus by Richard III of an act of Parliament touching the Earl of Ormond's prise wines.

" We have inspected certain acts and ordinances of our parliament held at Dublin on Friday next after the feast of St. Patrick last past before our dear cousin Gerald, Earl of Kildare, Deputy of Edward our firstborn son, our Lieutenant of our land of Ireland, passed at the request of the Commons of the said land in these words (in French).

' Also at the request of the commons that as the two parts of the prise wines of this land of Ireland belong to Gerald Earl of Kildare, deputy lieutenant, as in right of our lord the King by reason of the absence of the Earl of Ormond according to the act made in this matter in this land, which prises are retained in the city of Limerick by one William Comyn and Thomas Comyn of the same without any reasonable cause : on which the premisses considered it is ordained enacted and established by authority of this parliament that the said William and Thomas shall make due satisfaction or composition with the said Deputy for the said two parts of the prise wines before the feast of St. Peter ad Vincula next coming, otherwise to be attainted felons. And if the said prise wines be not paid to the said Deputy or his assigns according to the statute aforesaid etc., it shall be lawful for the Deputy to take the goods and bodies of the said William and Thomas their aiders and maintainers or any of them in the city aforesaid, as may be found in the land of Ireland and to keep them until the time that the said deputy shall be duly satisfied in all that by right belongs to him by reason of the said prise wines. Also at the request of the commons, that as James Collyng, clerk, has

counterfeited (*contrefe*) the Great seal of our Lord the King of this his realm of Ireland and by the same has given letters patent of the King of pardon under the Great seal so counterfeited sealed, to one Geffrey Arthur by name of Geffrey Artour, Treasurer of the Cathedral church of Limerick, and to all manner of delegates, sub-delegates, maintainers, counsellers and other notaries, and to all his adherents of all manner of provisions and executions of the same ; as by the said letters patent more fully appears. On which, the premisses considered, it is ordained and enacted, etc., that the said letters patent and everything contained in them shall be void and of no effect in law. And by the same authority the said James shall come and appear in person before the Chief Justice of the Common Place of the King in Ireland in Dublin Castle on Monday next after the Nativity of St. John the Baptist next, to abide in the custody of the Marshal of the same without bail or mainprise unto the time that the premisses be duly examined and argued according to law and conscience. And if said James do not appear as aforesaid, then he shall be forejudged in all the King's courts in Ireland.'

The above ordinances we have thought fit to have edified at the request of the said Earl. In witness whereof we have had these our letters patent made.

Teste the said Deputy at Dublin on the 20th day of March in the first year of our reign."

March 20, 1484. *Ex. per Patricium Cogley* et *Stephanum Rooch clericos.*

A grant by Henry VII follows.

" Henry, King of England, etc., to all, greeting. Know that we of our special grace by assent of our dear cousin, Gerald, Earl of Kildare, Deputy of our dear son Henry, Duke of York, our Lieutenant of Ireland, have given and granted to our dear cousin Maurice, Earl of Desmond, all manner whatsoever of customs, cockets, poundages and prise wines belonging to us in the port of Limerick ; as also issues and profits of fee-farm of the city of Limerick ; together with fisheries, ponds and the mill called ' the Pryoursmille,' and all other messuages and lands, gardens and meadows belonging to us in the same city and the franchise pertaining to all the same. And also all customs, cokets,

poundages and prise wines belonging to us in the city of Cork and issues and profits of the fee-farm of the same. Also all our customs, cockets and prise wines in the towns of Kinsale, Youghal and Baltimore. To have and to hold, to levy and receive all the abovesaid customs, cokets, etc., to the said earl and his assigns as long as it shall please us and the said Deputy, provided that account be rendered of the issues of the same at our Exchequer of Ireland yearly. In witness whereof we have had these our letters patent made.

Teste the said Deputy at Dublin on the 4th day of January in the 12th year of our reign."

Nangle.

Per ipsum Deputatum irrotulatum.

January 4, 1497.

262.

Three Deeds.

1) Peter son of Nicholas Cantewell gives and grants to John Cantewell, precentor of Cashel, a messuage and seven acres of arable land in Baylyntohyr which messuage and the land belonged to Thomas White of Doungob(an : ?). To have and to hold to him and his heirs for ever.

Given at Kyllboy on the 15th day of May in the 1st year of Richard III.

Witnesses : James son of James Botiller, Walter and Anastasia, son and daughter of said Peter Cantewell, Slauna Iny Vrien.

May 15, 1484.

2) Sir John Cantewell, precentor of Cashel, gives and grants to William son of Peter Cantewell a messuage and seven acres as above.

Given at Kyllboy on the morrow of the Translation of St. Thomas the martyr in the 1st year of Richard III.

December 22, 1483.

3) Sir John Cantewell, precentor of Cashel, appoints Thomas son of Thomas Laffan his bailiff to place the said William in seisin as above.

December 22, 1483.

[The dating is uncertain and it is possible that the year of the first deed should be read as 1483].

263.

Henry Walsch, formerly burgess of Downomegan, quit-claims for himself and his heirs to William Konall all rights that he has now or may have in the future to four acres of arable land and two ' aschyn croftys ' and the half of ' Donyn ys acre ' in the parish of Kylry, which extend from the road which leads from Kylry to Shortalstown as far as ' le rath ' which is in ' legrow,' and one acre in Martynrath near William Wodloke's acre as it was meted out and perambulated by certain measures and boundaries to the same William, with all rights and appurtenances, in such wise that neither Henry nor his heirs nor any other in their name shall claim any right or rights in the said pieces of land. In witness whereof Henry has set his seal.

Given at Kenlys (Kells) on the 15th day of March in the year of our Lord 1483.

Witnesses : Sir Philip Kepe and Sir Edmund Lathlour, clerks, and Joan Drakke.

March 15, 1484. Seal perfect.

264.

James son of Edmund fitzRichard Butler of the county of Kilkenny, gentlemen, grants to Patrick Molgan, citizen of Waterford, half of the fishpond of Downmore, commonly called ' le Sayne de Downmore ' in county Waterford. To have and to hold to him and his heirs for twenty-four years, paying therefor 2*d*. good and lawful money yearly.

January 20, 1485.

265.

Letters patent of Richard III granting leave of absence from Ireland to Thomas, Earl of Ormond.

" Richard, King, etc. Know that we of our special grace and certain knowledge and by the assent of John, Earl of Lincoln, our Lieutenant in Ireland, have granted to Thomas Ormond, otherwise called Thomas Botiller, knight, brother and heir of John

lately Earl of Ormond, otherwise called Thomas Botiller Earl of Ormond, who is at present in England, that he may be absent from Ireland for the space of one year and remain and reside in England or wherever else he pleases, and during that time he or his servants, bailiffs, seneschals, receivers, proctors, and attorneys may take, have, collect and receive all manner of revenues, possessions, reversions, annuities, emoluments, fee-farms, prise wines, and other profits from all manner of castles, manors, estates, mills, waters, fishponds, lakes, lands, tenements, revenues and services whatsoever belonging to the said Thomas, and send and bring the money arising therefrom to him in England or wherever else he pleases, without hindrance or molestation from ourselves or our heirs or our officials and ministers henceforward, other statutes acts ordinances or provisions against absentees possessing castles, etc., in our said land of Ireland who do not reside in the same nor find men to defend them made either in England or Ireland notwithstanding. In witness whereof we have caused to be made these our letters patent.

Teste Ourself at Westminster the 16th day of February in the second year of our reign."

February 16, 1485.

"And we, George Comyn, mayor of the city of Limerick in Ireland, have seen the aforesaid letters patent sealed with the Great seal of England and read them word for word as they are recited above, and at the desire of John Comyn we have thought fit to have them written out. In witness whereof we have caused to be affixed the seal of the office of mayor of Limerick, the twelfth day of June in the 13th year of Henry VII."

June 12 1498.

266.

Margaret Contoun, daughter and heiress of Thomas Contoun, in her pure widowhood grants for herself and her heirs for ever to Sawina Kewanagh, wife of James Butler, her heirs and assigns all the grantor's right in the manor of Ryston *alias* Bremyllyston in Ogenty and in all messuages, lands, tenements, meadows, woods, rents, services, etc., in the lordship and tenement of the

same town even as is more fully contained in the grantor's charter made to Sawina.

Given at Kells on the 12th day of July in the 1st year of Henry VII in the year 1485.

Witnesses: Sir Thomas Donyll, treasurer of St. Canice's cathedral church, Maurice Stoke, James Comerford and many others.

July 12, 1485. Seal.

[Actually Henry VII's reign did not begin till August 22, 1485].

267.

Three Deeds.

1) John Hedian, bishop of Ossory, grants to James Hedian his son the castles of Ballibeg and Gibbinston as well as all the tenements and lands of Kylmonedog, Ballibeg, Bertiston, Davyston and Gibbinston in the cantred (*canthreda*) of Elliogirth in county Tipperary, to have and to hold to him and his heirs for ever of the chief lords of the fee.

Given at Fethard (*ffiard*) on the 12th day of November in the (blank) year of King Henry (blank).

[*Circa* 1486]. Seal.

2) Quit-claim by above to the said James.

3) Deed of attorney by the aforesaid bishop, appointing Thomas Brit[ling ? : faded], vicar of Leghmokewog in Cashel diocese, to deliver seisin of the above lands.

Seal.

[John Hedian was bishop of Ossory from 1479 to 1487. As the above grant was made under King Henry VII, we may place it at about 1486].

268.

Notarial deed dated June 24, 1503, in the Episcopal court of the Bishop of Ossory at St. Canice's cathedral, Kilkenny, in the porch which leads to the hall there, witnesses that, in the presence

of the notary and other witnesses, William Astekyn *alias* M^cOde, cleric, of Ossory diocese, exhibited certain papal letters, the tenour of which is as follows.

" Innocent, etc., to the Bishop of Ossory. Know that whereas a petition of our dear son Edmund Asteken, gentleman (*domicellus*), and our dear daughter the noble woman Sabina iny Meaker (O'Meagher) (*domicella*), for the sake of peace and concord showed that formerly there were great wars and seditions between their kinsmen and friends and that more such are likely to occur, the said Edmund and Sabina desire to promote peace between these parties ; but because they are related in the third and fourth degree and because they are joined together in marriage in third and fourth degrees of affinity they have sought a dispensation on this matter. Wherefore at their humble request we have thought fit to grant them the same, etc."

Given at Viterbo on the 18th day of the Kalends of February in the 2nd year of the pontificate.

The sign and declaration of the notary follows, namely John Mohlan, cleric of Ossory diocese.

January, 1486.
June 24, 1503.

Dorso : Concerning Edmund Asteken and Sawe ny Veagher dispensed.

269.

Thomas son of John Troy grants to John son of Edmund ' fitz Ricard ' Botiller and his heirs all his lordship and lands of Ardaghbeg in the tenement of Dromodelgyn, to have and to hold to him and his heirs of the chief lords of the fee.

Given at Kilkenny in the monastery of the Friars Minor on the 10th day of June in the year 1486, there being present William Fian, public notary, Edmund Wall, Oliver Rothe and others.

June 10, 1486.

270.

Three Deeds.

1) Margaret Tobin, daughter of Thomas Tobin and of Johanna le White daughter of William le White, burgess of the town of

Woweynstoun, gives and grants to Robert Lenard, burgess of Kilkenny, one messuage and seven gardens with twenty acres of arable land in the borough of Woweynstoun in the barony of Arley. To have and to hold to him and his heirs for ever of the chief lords of the fee.

Given at Callan on the 16th day of January in the 2nd year of Henry VII.

January 16, 1487. Seal.

2) Letter of attorney by abovesaid Margaret appointing Sir Thomas Becket, chaplain, to place Robert Lenard as above in seisin.

Same date.

3) Quit-claim by Margaret Tobin of the aforesaid premisses.

Witnesses: Nicholas Trodey, sovereign of Callan, John White, John Philpote, clerk, and Sir Thomas Bekket, chaplain, and many others.

Given at Callan on the 3rd day of February in the 2nd year of Henry VII.

February 3, 1487. Seal.

271.

Notarial deed to the effect that in the year 1487 on the 21st day of June in the church of the Friars Preachers of Waterford in the presence of the notary and witnesses subscribed there appeared Richard Botiller son of Peter Botiller, who /in a cause of controversy moved between him and Peter son of James Botiller about the town of Carrickmagriffin, with the consent of James Rice and James Sherloke, judges and amicable arbiters (*compositorum*) between them chosen by both parties/produced the witnesses named below to be examined on certain points (*articulos*), the tenour of which follows.

Article one is that John, Earl of Ormond, gave and granted Carrickmagriffin in county Tipperary to Peter son of James Botiller and that Peter peacefully possessed the same by virtue of this grant for many years and so did his son Thomas after him, by his consent and that of Edmund son of Richard Botiller and

James Botiller, until the aforesaid James ' vi et armis ' despoiled Thomas of the said town against the form of the grant.

The second article is that at the time of the above grant made by Earl John to the said Peter the same Earl granted to Peter that if he, the Earl, wished to have and enjoy the said town first Peter ought to repay all expenses which he had incurred with regard to the defence of the same.

Matthew macTeige son of Donatus fyn, John son of Dermot O'Kynnedy, Eugene O'Donyll, William de Burgo, John Hacked son of Redmund, jurors sworn on oath, say that the first article contains the truth, for they were present at the making of the grant.

George Comyn, Thomas Comyn and Holifer Comyn, jurors, etc., agree with the foregoing and also as to the truth of the second article.

John Poer, lord of Kylmydan, Morina Inybreyn, his wife, William Mawdewill, Patrick White, Nicholas son of Richard Poer and John Duffe Poer, jurors sworn, all testify to the above and the spoiling by James Butler.

Tatheus O'Maddian testifies that when great war arose between James and Thomas regarding the said town both parties with equal power (*manu equali*) gave it to him, Tatheus, and he gave it to Eugene MacCrahe and he had it for a year and so the said war ceased.

Upon all which the aforesaid Richard requested the notary to make a public instrument. Present at the making of it were Maurice O'Ronan, canon of Lismore, Cornelius O'Ronan, Eugene MacCrahe and others.

Sign and declaration of the notary, Thomas Vale, clerk of Waterford diocese.

June 21, 1487

272.

Letters patent of Gerald, Earl of Kildare, made in the name of King Edward [? Lambert Simnel].

" Edward, by the Grace of God, King of England, France and Ireland, to all to whom these presents may come, greeting. Know that we have granted to our dear Peter Buttyller " gentleman," otherwise called Peter Buttiller, son of James Buttiller

" gentleman," the office of sheriff of our county of Kilkenny, to have and to hold the said office to the aforesaid Peter during our pleasure—saving to us the fines and amercements coming from the said county—receiving from us in that office the accustomed fee.

In witness whereof, we have had these our letters patent made.

Witness our very dear cousin, Gerald, Earl of Kildare, our Lieutenant of our kingdom of Ireland, at Dublin, on the 13th day of August in the first year of our reign."

Dovedalle.
By writ of Privy seal.

August 13, [1487].

The latin text is as follows.

"Edwardus dei gratia Rex Anglie et Francie et Hibernie omnibus ad quos presentes litere peruenerint salutem. Sciatis quod nos concessimus dilecto nobis Petro Buttyller gentilman, alias dicto Petro Buttiller filio Jacobi Buttiller gentilman, officium vicecomitis nostri comitatus Kylkenn', habendum et tenendum officium predictum prefato Petro quamdiu nobis placuerit, saluis nobis finibus et amerciamentis dicti comitatus perueniendis. Precipiendo de nobis in officio illo feodum consuetum.

In cuius rei testimonium has literas nostras fieri fecimus patentes.

Teste precarissimo consanguineo nostro Geraldo comite Kyldar' locum nostrum tenente regni Hibernie, apud Dublin,' xiii die Augusti, anno regni nostri primo."

Dovedalle
Per breve de priuato sigillo nostro.

Note.—This curious and puzzling document cannot be of the reign of Edward IV, because in the first year of his reign the Earl of Kildare was not a Gerald. It cannot be of the reign of Edward VI, because before the first year of his reign Sir Piers Butler (Peter Butler, son of James Butler) was dead. There is moreover adequate reason to show that it cannot belong to the reign of Edward V. In the first place the document is dated August 13, and Edward V's brief reign lasted only from April 9 to June 22, 1483; in the second place it describes the Earl of Kildare as Lieutenant, an honour which he never held under any official

King of England; and in the third place it styles Ireland a kingdom, and Edward, King of England, France and Ireland, a style which was not adopted by any monarch prior to Henry VIII; for up to that time the Kings of England were merely Lords of Ireland. The only conclusion left is that the document belongs to the "reign" of Lambert Simnel whom the Great Earl had crowned as King Edward, on May 24, 1487. The date of the document (August 13, 1487) seems at first sight to upset this conclusion, for the battle of Stoke, at which Simnel was captured, was fought on June 16, 1487. But the date is no real objection to its authenticity as a Simnel relic, for as late as October 20, 1487, two months after the suggested date of the document, Henry VII, writing to the citizens of Waterford, records that "the said Earl with the supportation of the inhabitants of our said city of Dublin, and others there, ... will not yet know their seditious opinions, but unto this day uphold and maintain the same."

Affixed to the document is a seal which appears to be the Great Seal of England, bearing the effigy of a child king. Possibly this was an authentic seal of Edward V, which had come into the possession of the Yorkist party in Ireland.

273.

Letters patent of Henry VII granting English law and liberty to Cormac Mac Teig Macarty, lord of Muskerry.

"To our sovereign lord the King. Pleas it your highnes of your most habundaunt grace to graunt your most gratious letteres patentes in such fourme to be made aftre the tenore ensuyng and that this byll signed with your most gratious hand may bee a sufficient and immediate warrant unto your Chaunceller of Irlande for the ensealyng and delyvering of the same letteres patentes.

'Rex omnibus ad quos etc., salutem. Sciatis quod nos de gratia nostra speciali et ad humilem supplicacionem Cormaci macteig de hibernica nacione oriundi volentes ipsum favore prosequi gratioso concessimus ac pro nobis et heredibus nostris per presentes concedimus eidem Cormaco quod ipse et omnes heredes et liberi sui procreati et procreandi liberi sint status et condicionis et ab omni servitute hibernicali exonerati penitus et quieti et quod ipsi legibus et consuetudinibus regni nostri Anglie in omnibus et per omnia uti possint et gaudere prout et eodem

modo quo omnes Anglici et ligei nostri infra dictam terram nostram hibernie eas habent ac eius melius gaudent et utuntur. Et quod ipse Cormacius et dicti heredes et liberi sui sint indigeni et ligei nostri et heredum nostrorum et quod ipsi in omnibus tractentur reputantur habeantur et gubernentur sicut fideles ligei nostri anglici infra dictam terram nostram oriundi et non aliter nec alio modo. Quodque ipse Cormacius et dicti heredes et liberi sui omnimodas actiones reales personales et mixtas in omnibus curiis locis et iurisdictionibus nostris prosequi possint et habere ac eas in eisdem placitare et ab aliis implacitari respondere et responderi defendere atque defendi possint et quilibet eorum possit in omnibus et per omnia sicut fideles ligei nostri in dicta terra nostra oriundi ac etiam quod idem Cormacius et dicti heredes sui terras tenementa redditus reverciones servicia et alias positiones quascumque quas vel que in presentiarum tenet et possidet habere tenere et possidere sibi et dictis heredibus suis de nobis et heredibus nostris ac alia dominia terras tenementa redditus reverciones et alias positiones quascunque infra dictam terram nostram perquirere capere recipere habere et tenere sibi et dictis heredibus suis et ea dare legare vendicare et alienare cuicunque voluerint. Ac etiam ad quecunque beneficia ecclesiastica tam dignitates quam alia beneficia ecclesiastica promovere et admitti et (illegible) acceptare et occupare licite et impune possint et valeant adeo libere quiete et integre sicut possit et valeat aliquis ligeorum nostrorum infra dictam terram nostram oriundus aliqua impeticione hibernicale aut aliquibus statutis actibus ordinationibus provisionibus vel privilegiis in contrarium factis sive ordinatis non obstantibus. Proviso semper quod supradictus Cormacius homagium ligeum nobis faciat ut est justum. Et ulterius de uberiori gratia nostra perdonavimus remisimus et relaxavimus eidem Cormaco omnimodas prodiciones murdra raptus mulierum rebelliones insurrectiones congregationes confederationes coadunaciones riotas routas conventicula illicita felonias transgressiones et offensas ac etiam omnia et omnimodas iudicia executiones et penas mortis super ipsum Cormacum reddita sive reddenda adiudicata sive adiudicanda ratione premissorum seu eorum alicuius, et firmam pacem nostram ei inde concedimus ita tamen quod stet recto in curia nostra siquis versus eum loqui voluerit de premissis vel aliquo premissorum. Damus igitur universis et singulis ligeis et subditis nostris tam Anglicis quam

Hibernicis quod ipsi et eorum quilibet super exhibicione et demonstracione harum litterarum nostrarum patientium allocent seu allocare faciant prefato Cormaco et dictus heredibus suis omnia et singula in dictis litteris nostris contenta iuxta unum formam et effectum earundem ipsos seu eorum aliquem contra tenorem earundem non molestantes in aliquo seu gravantes . . . . tercio.' "

Dorso : Cormok fitz Teig.

May 16, 1488.

[The dating of this document is illegible but can be supplied in Campbell's *Materials for the Reign of Henry VII*, vol. II.]

NOTE.—This very interesting document is given in full as a complete specimen of the letters of enfranchisement into English " law and liberty " from time to time granted by the Dublin government. Henry VII, after his accession to the throne of England, though he took no general steps to admit the native Irish to the full benefits and duties of English law as enjoyed by the Anglo-Irish, authorised his viceroys to admit all who sought this privilege. In 1488 two Munster chiefs, Florence MacCarthy and Cormac MacTaig, were by letters patent " emancipated from Irish servitude " and given the laws and privileges of Englishmen. (*Materials for the reign of Henry VII*, vol. II, pp. 309, 313, 496.) We are fortunate in having here the deed, or a contemporary copy of it, by which the King grants letters of English law and liberty to Cormac MacTaig (MacCarthy). For another enfranchisement of English law and liberty see Deed 306 relating to William Casshene. A treaty between Sir Piers Butler and Cormac Oge son of Cormac son of Taig MacCarthy of Muskerry will be found under the speculative date 1505.

274.

" Henry by the grace of God, etc., to all, etc., greeting. Know that We, of our especial grace and by the advice of our beloved kinsman Gerald, Earl of Kildare, Deputy for our dear uncle Jasper, Duke of Bedford, and Earl of Pembroke and our Lieutenant in Ireland, have granted to Peter Butler, gentleman, of Potterath, the office of sheriff of our county of Kilkenny to

have and to hold, to occupy and to exercise, in his own person or by a sufficient deputy for whom he will be ready to answer when it pleases us, taking in the said office his fee, wages and reward due and accustomed of old, so that he answer to us for all the debts and amercements due to us from the said county, any statute, etc., to the contrary notwithstanding. In witness whereof we have caused to be made these our letters patent.

Teste the aforesaid Deputy at Dublin, on the 20th day of March in the 4th year of our reign."

Dovedall.

March 20, 1489. Great seal of Ireland.

275.

Notarial deed declaring that " in the year of our Lord 1489 by the computation of the churches of England and Ireland, in the seventh indiction of the 5th year of the pontificate of Innocent VIII, in the parish church of St. Mary of Callan in the diocese of Ossory on the fourth day of August, in the presence of me, public notary, and the following witnesses specially called for the purpose, Thomas Fannyng, lord of Mohobbir, chief of his nation, exhibited certain letters patent of the most reverend lord and father in Christ John, archbishop of Cashel, of happy memory, signed with the seal and subscription of William Brown, notary, scribe of the court of the same archbishop, containing the process in a cause of matrimony and legitimacy between the said Thomas, plaintiff (*actorem*), and William Fannyng defendant (*reum*), and the sentence pronounced by the same archbishop in the said case. These he handed to be read to the aforesaid notary, and because he could not bring these letters to the place where sentence must be given, without danger of losing them, on account of the perils of the road and various other unpleasant things that might happen to him, he asked that the final sentence should be transcribed and exemplified, and from the copy one or more public instruments should be made. At whose request we have thought fit to exemplify the said final sentence as follows.

' In dei nomine amen. We have seen, computed, and understood the rights of a case of birth and legitimacy between Thomas Fannyng the plaintiff (*actorem*) and William Fannyng the defendant (*reum*) tried before us in our diocese of Cashel, each of whom claimed to be the legitimate son of Nicholas Fannyng, once

captain of his nation, which still remains open and undecided. And because the said Thomas proved himself to have been born in wedlock publicly contracted before the church by credible witnesses of full age and because the said William did not prove his case sufficiently: therefore we, John by the grace of God Archbishop of Cashel, in the parish church of Mocayrke in our diocese of Cashel on the 16th day of March in the year of our Lord 1469 [1470 N.S.] sitting in the judgment seat, having before our eyes nothing but God and justice, by this our final sentence delivered by the advice of men learned in the law, do declare that the said William has failed to prove his case and that the said Thomas is the legitimate son of the said Nicholas Fannyng and born in wedlock publicly contracted before the church.'

This sentence was read and delivered the said year month day and place in the third indiction of the sixth year of the pontificate of Paul II, in the presence of Master Tadeus O'Laghnayn, Bachelor of both laws, Brother Patrick Cantewel, Prior of the priory of St. Katherine near Waterford, John Cantewel, precentor, and Richard O'Fyan, treasurer of the church of Cashel, and many other witnesses both clerks and laymen called for the purpose. And therefore, because on diligently inspecting and scrutinizing the said copy and comparing it with the sentence contained in the said original letters we have found that it disagrees with it in nothing but agrees with it in every syllable, we have caused to be made this public instrument at the request of the said Thomas, so that complete faith may be placed in the said copy in all transactions.

Done and recited the aforesaid year, indiction, month, day and place, in the presence of William of Vico Salis, priest, Oliver Fannyng, Dermot O'Corumyke and William O'Murrayn, witnesses specially summoned for the purpose.

Sign and declaration of the notary, Nicholas White of the city of Cashel.

August 4, 1489.

Dorso: An instrument for Mohobbir.

276.

Johanna Wale, daughter and one of the heirs of Richard son of Raymond Wale, appoints Walter Brathnoke her attorney for

placing Maurice FitzAustyn, chaplain, in full possession of two messuages and two gardens in the borough (*burgageria*) of Carrickmagriffin in county Tipperary. Of these, one messuage lies in length from the King's way of the same town on the south to the common wall on the north side, and in breadth it lies between the lands and messuage of Thomas Neell on the east and west sides. The other messuage lies in length from the King's way which leads to the bridge of the said town on the east to the common wall on the west, and in breadth it lies between Richard Wale's land on the north and the land formerly Robert Walsche's on the south. Of the two gardens, one in length lies on the west side of the town from the King's street (*a vico regali*) which goes to " le Spedell " on the north side as far as the water of the Suir on the south side ; and in breadth lies between Richard Wale's land on the east and west. The other garden lies outside the western gate of the town and one end (*caput*) of it stretches from the said King's street which goes towards " le Spedell " on the south side to the land of the heirs of Henry Wale's son on the north side. The other end stretches from the land of the said heirs on the west to the King's street on the east.

Given at Clonmel on the 17th day of November, 1489.

November 17, 1489.

277.

Indenture made at New Ross at Christmas 1489 between Nicholas Birton and Philip Hedian, witnesses that Nicholas has granted to Philip his heirs and assigns for a term of forty years a messuage in ' le Bastestrete ' in the same town, in length from the King's way on the south to the common way near the town wall on the north ; in width on the west side between St. John's tenement and Richard Benet's land on the south, rendering yearly therefor three shillings of good and lawful money.

December 25, 1489.

278.

Notarial deed to the effect that on the 6th day of May 1508 at Clonmel in the presence of the notary, appeared Walter son of Edmund Haket and Katherine Neell his wife and asked for

witnesses to be examined as to whether Maurice Neell, father of said Katherine, after the death of his wife Margaret Flymyn, mother of said Katherine, gave certain small gardens (*ortoli*) in Clonmel, together with the charters for the same to Walter and Katherine aforesaid, who claim to be on Maurice's death co-parteners in the same. They allege that Margaret Flymyn, in her last disposition, with the free assent of her husband Maurice, and in the presence of witnesses, left the said gardens to Walter and Katherine aforesaid. Witnesses are produced viz. Margaret Ketynth, Joan Flymyn, John Hanlan, John Stacboll, Alice Gerald, Mary Wythe, who all testify that Maurice left the gardens to Walter and Katherine, and that they had no other child but Katherine. A public instrument is made to this effect, in the presence of Richard Wayth, Walter Crowth and others.

Sign and declaration of the notary Thomas Howeth, clerk, of Lismore diocese.

April 7, 1491.
May 6, 1508.

279.

Letters patent of Edmund Comerford, dean of Ossory, to the effect that, "on the 13th day of August in the year 1491 in the 7th year of our lord Pope Innocent VIII, in the cathedral church of Kilkenny before us sitting in judgment, Sir Raymond Stoke, chaplain, proctor of Philip Purcell, layman, gentleman, dwelling in the diocese of Ossory asked to have a certain witness, namely Sir John Archedekyn, chaplain, examined by us in due form on this point, namely as to who presented him formerly to the rectory of Kulcrahyn of which he formerly was rector and how he knew about the presentation of the rectory. Examined by us, the said witness swears that he was presented to the said rectory by Richard Purcell and was admitted by the ordinary of the place on the strength of the same presentation with no one objecting. He says also that he saw before his time three rectors presented, namely Sir Malachy O'Brenan, John O'Brenan and Walter Wyle who were presented by the said Richard Purcell and admitted as above. Further he saw the presentations of the above three sealed with the seal of said Richard. The abovesaid Raymond then requested us to order to have a public instrument made for a perpetual memory of the fact. These things were done and

acted as above, etc., there being present Sirs Dermot O'Haraght, William Wale and Nicholas Whyt, clerics, James Hedyan, the notary below-written and divers others.'

Sign and declaration of the notary follows, namely James Hedyan, canon of the church of Ossory.

August 13, 1491.

280.

Two Deeds.

1) Indenture made at Michaelmas in the year 1491, between John son of John son of Thomas le Buteller, son of the Earl of Ormond, and Edmund " Incally " Graunte, witnesses that John for a pledge or mortgage of thirty marks silver granted to the said Edmund the town of Kylmabowthe in the county of Kilkenny, to have and to hold to him and his heirs until the said John or his heirs pay the abovesaid value of the sum of money in horses, cows, sheep or other animals at the choice of the said John.

September 29, 1491. Portion of Butler seal.

2) Counterpart with Graunte seal.

281.

Deeds relating to the rights of the Baron of Knockgraffon.

1) Proceedings (in latin) of the court of the Barony of Knockgraffon held on the 12th day of November in the 7th year of Henry VII, before the following.

William Keating of Dearethan (?)
Peter Comyn of Thollachmayn
William Flemyng of Lokeanth
Robert Wodlok of the same town
James Boyton lord of Hasmayne
John Travers of Miltune
John Geralt of Geraltystone
David Wodlok of Garyntobyr
Theobald Butler of Nywtown
Richard Butler of Hosseystowne

William Niger of Gerraltystone
Thomas Gerault of the same
John Wodelok, lord of Chamerleystown.

Thomas Boteler, baron of Knockgraffon, makes complaint against the burgesses of Knockgraffon because they have rebelled against the homage due to him and refused the payment of their chief rent ; on which he seeks the judgment of the jury. They say that he is one of the burgesses of the town of Knockgraffon, that the burgesses are bound to give restitution in the lord's court, that he can distrain them for chief rents, and that they have common of pasture between them. (The deed here ends with words which because of the state of the skin are valueless).

November 12, 1491.

2) Letters patent of Philip Roche, judge, concerning a case of distraint between Thomas fitzRichard Butler, Baron of Knockgraffon, and Maurice son of David (? fitzGerald) of Geraldstown with regard to a hawk (*nisus*) found by the said Maurice in his lordship of Geraldstown. The baron claimed this hawk as an escheat or " stray," but Maurice said that the escheats or " strays " of Geraldstown were not due to the baron ; whereupon the baron as chief lord of Geraldstown produced ancient rolls and rentals of the court or barony of Knockgraffon, in which it is shown that the lord of Geraldstown is one of the suitors of the court of Knockgraffon and holds that townland by service of 6*s.* 8*d. per annum* ; also the said Thomas, baron of Knockgraffon, says that his father who was baron before him received the escheats of Geraldstown, and so demanded a jury.

The jury is summoned. (See the names below). They return by their evidence, especially that of William Flemyng, that the value of strays is divided between the lord and the tenant of Geraldstown. (The latin of this interesting document follows, but unfortunately owing to the state of the skin the sense is not altogether clear).

September 3, 1500.

" Omnibus presencia visuris lecturis pariter audituris Philippus Roche iudex in causa distreccionis orta inter Thomam fitz Rocheard Bulter (Butler) baronem de Cnokraffan ex una parte

et Mauricium filium David Hyrtac (?) Geralti de Geraltyston super niso reperto per dictum Mauricium in domu Cattagan (?) viro suo (?) in le Geraltystone quem nisum vendicavit ipse baro per modum escaete sive stray dixitque ipse Mauricius quod escaeta (*sic*) seu ' stray ' de Geraltystone non debebantur baroni, unde dictus Baro ad justificandum quod erat capitalis dominus de Geraltystone produxit antiquos rotulos et rentalias curie sive baronie de Cnokraffan in quibus est compertum quod dominus de Geraltystone est unus de sectatoribus curie de Cnokraffyn et quod tenet illam villam per servicium sex solidorum et octo denariorum per annum. Et insuper dictus Thomas Baro allegavit quod pater suus qui fuit similiter Baro recepit escaetas de Geraltyston et posuit se ad patriam.

Robertus Wodlok dominus de Lokkenthe
Donatus Lactna octuagenarius vel circa
Mauricius O'Maelan
Hubertus Edmundi de Burgo
Willelmus Flemyng octuagenarius
Ricardus Ruffus de Burgo
Dominus Mauricius Kenthe antiquus rector de Cnok [raffan ?].

Qui jurati dicunt per sacramentum suum et presertim Willelmus Flemyng quod olim antiquus Nycholaus Wyche (? Wythe) dominus de Ballygerault venit ad curiam baronie de Cnokraffane tunc tentam et illa curia substituit sibi Ricardum . . . . ad respondendem in illa curia pro ipso quociens summonitus esset . . . . . deponit quod deinde per modum escaete seu ' stray ' reperte fuerunt (?) sex oves super Cnokaurnane in dominio de Geraltyston per capcionem (?) Ricardi Pollard et eodem Cattagan, viz. diviserunt pastores illas oves in partes duas et de hinc hoc comperto per predictum baronem obtinuit restitucionem quousque ex illis ovibus tres viz. acatagium et duas oves a Ricardo Pollard et hoc racione dominii sui. Item ille Donatus Lacna' vidit tribunum domini baronis petentem alucarium de David Geralt de Geraltyston repertum ibidem casu. Insuper Willelmus Flemyng restituit domino unum porcum per modum ' stray ' repertum. Quare de avisamento vicecomitis Tipperarie et aliorum doctorum virorum ex premissis et aliis causis decrevimus restitucionem illius nisi seu valoris eius ipsi

baroni faciendam. Acta apud Cnokraffan iij die Septembris millesimo v^c^ presentibus multis testibus."

282.

Will (in English) of William the Sytheloer, burgess of Kilkenny.

His three sons, John, Walter and Patrick and his brother's son Patrick Coursy, to have his freehold and farms, to them and the heirs of their bodies lawfully begotten, for ever, in consideration that they and their heirs in common maintain the chapel of St. Katherine, and an honest chaplain in meat and drink to say masses for his soul and his wife's so long as the freehold will bear the charges, and that they bear the costs and repairs of the said freehold, at the direction of the Prior and convent of the above house and the chaplain.

His wife Margaret to have one third of all freeholds and farms equally with them, except the four messuages that are divided between them and to have his dwelling-house, the great garden at the bridge that William Cleere has, the "fermery garden," and the "colver" house of Leggetrake, etc. Margaret, and John and Walter, his sons, to be executors to administer his movable goods, by good counsel of Sir Thomas Donyll, Treasurer of "St. Kenyes church," and Nicholas Ragged, burgess of Kilkenny.

February 8, 1492.

283.

Three Datoun Deeds.

1) Redmund (*Redmundus*) Datoun, lord of Cillmogulla, Cillcrispine and Athene, in the counties Kilkenny and Tipperary, gives and grants to John son of Peter Butler his tenements of Cillcrispyne and Athene on the west side of Lyucan and Sliabhdile in the county Tipperary with all its tenements, lands, woods, plains, mills, etc., and all free liberties pertaining thereto, to him amd his heirs for ever.

Given at Clonmel on the 21st day of December in the 8th year of Henry VII, there being present the sovereign and council of Clonmel, and Philip Rothe, Recorder, who wrote the document.

December 21, 1492.

2) Redmund Datoun, captain of his nation, and lord of Cyllcrispine and Athene with their appurtenances in county Tipperary, quit-claims for himself and his heirs to John son of Peter le Botiller as above.

Given at Clonmel under the seal of the community of that town for defect of his own seal on the above day, the same witnesses being present.

December 21, 1492. Seal of Clonmel.

3) Letter of attorney by the above Redmund appointing Thomas son of Nicholas Botiller to place John son of Peter Botiller in seisin as above.

Given at Clonmel on the 21st day of January in the year 1493.

January 21, 1493.

NOTE.—According to Hogan's *Onomasticon Goidelicum* Sliabh Dil is the hilly region east of Slievenamon in county Tipperary, extending to Carrick-on-Suir, and in county Kilkenny to Windgap and to Owning near Pilltown. Ahenna, Kilclispin and Garryduff of county Tipperary are in it, so are Curraghmore and Cahernane of county Kilkenny.

284.

Indenture between Robert Kilbery of Kilkenny and Robert Follane of the same.

Indenture dated August 14, 1493, between Robert Kilbery of Kilkenny and Robert Follane of the same, witnesses that said Robert Kilbery has granted to Robert Follane a messuage with appurtenances in Kilkenny town, lying in length from the messuage of John Gorot's heirs in the east end to the messuage of sometime Sir Harry now Water Archere's in the west, and in breadth from the king's street leading unto the 'walking yate' in the north to Nicholas Raget's ground in the south. To have and to hold to said Robert Follane for a term of forty years.

August 14, 1493.

285.

"James Ormond, Governor and Treasurer of our Lord the King in his land of Ireland, also guardian and protector of all castles, manors, lordships, lands, tenements, rents and services

with their appurtenances belonging to my dearest uncle Thomas, Earl of Ormond, within the land of Ireland, and to the reeve and burgesses of the town of Carrick in the county of Tipperary, greeting. Know that I, for the fidelity and good service done by William Casshyn and Anne *alias* Owne his wife, to my said uncle as to me, have granted that said William and Anne may enjoy and use all liberties, franchises and customs which are used in the town of Carrick, as fully as any burgess of the same enjoys them, without any impediment from my said uncle or any of his officers and ministers.

In witness whereof I have set my seal as well as my sign manual.

Given on the 3rd day of September in the 9th year of Henry VII."

September 3, 1493. [The seal has gone, but the signature "Sr. J. Ormond Buteler" remains].

NOTE.—Sir James Ormond (James "Dubh") here styles himself the "King's Governor and Treasurer of Ireland," and also claims to have been given by his uncle, Earl Thomas, the custody of all his Irish lands. See note to Deed 287.

286.

Copy of an act of Parliament concerning the election of the Lord Justice of Ireland.

"Forasmoche as contynually sethens the conquest of this realme of Irlande it hathe bene used in the same realme of Irlande, That at eny such tyme as it hath chaunsed the same realme to be destitute of a Lieutenaunt, Deputie, Justice or other hed governour by deth surrendre or departure out of the same realme or otherwise, the Counsaill of this realme, etc., for the tyme being have used by the lawes and usages of the same to assemble them selfes togither to choise and elect a Justice to be the ruler and governour of the realme till the kinges highnes had deputed and ordeyned a Lieutenaunt Deputie or other governour for the same realme, whiche Justice soo being elected was and hathe bene always by thauncient lawes and custumes of this said realme, etc., auctorised to do and exercise the said rowlme of Deputie there for the good rule, governaunce and leading of the

kinges subiectes within the same realme, etc., and in ministracion of Justice with dyvers other auctorities, pre-emynences and iurisdictions there, whiche usage, election and auctoritie of the said Justice hath bene many tymes ratified and confirmed by dyvers estatutes in this realme provided and made. That notwithstanding, at a parliament holden the Monday next before the feast of St. Andrewe thappostle, the xth yere of the reigne of the most noble prince of famous memorye king Henry the VIIth [November, 1494], emonge other thynges it was ordeyned and enacted (as it shulde seame) for some private affection, that imediately afore suche advoidaunce of any of the said Lieutenauntes Deputie governour or Justice within this realme of Irlande, the kinges highnes Lord Thesaurer of this his realme for the tyme being shulde be Justice and governour, etc., unto suche tyme that his highnes had ordeyned, made and sent his Lieutenaunt or Deputie, etc. And that all other lettres patentes, prescription and usages of thellection of the Justice at or after any suche advoidaunce shulde be clerely damned, repeled and of noon effect. Whiche acte at an other parliament then after holden at Dublin in the xiiith yere of the reigne of the said late king Henry the VIIth, [1497–8] for dyvers consideracons, myschives and inconvenyences then appering was by auctoritie of the same parliament adnichillated, repeled, made voide and of noon effect. The roll of recorde of whiche parliament by some synistre meanes was imbeaselid and by noo meanes nowe can be founde, by reason wherof dyvers ambiguyties and doubtes upon thelection of the Justice, etc., hathe and yet dothe daily arise and gro within this realme; for the remedy wherof and establyshement of a certain ordre to be had for thelection, etc., be it enacted and established by auctoritie of this present parliament that imediately upon thadvoidaunce of eny the kinges Lieutenauntes Deputie or Justice of this realme by dethe, surrendre of their lettres patentes or office, departure out of this realme, or for any other cause, the kinges Chauncellor of this realme or Keper of his graces great seale for the tyme being shall by the kinges writt or writtes call or assemble togither at suche place as the said Chauncellor, etc., shall think convenyent, the kinges counsaillors being, inhabiting or dwelling within the shyres of Dublin, Mythe, Louth, Kildare, Kilkenny, Tipperarie, Wexford, Waterford, Cork, Kyerry and Lymeryk for thassemble of the said counsaillours, which of them so assembled shall by auctoritie

aforsaid have full power and auctoritie by wertue of this acte to electe and choise oon suche person as shalbe an Englishman and borne within the realme of England, being noo spirituall person, to be Justice and governour of this realme, etc., during the kinges highnes pleasure, yf there shalbe at any tyme any suche person within this realme that shalbe hable, mete and convenyent for the same rowlme or office, and for thuse and exercise therof. And yf there be noo suche person then within this realme, then they to electe and choise twoo persons of the said counsaill of English blode and surname, being noo spirituall persons, whom they shall thinke mete, hable and convenyent, etc. ; upon whiche election soo by them or the more parte of them had and made as is aforsaid,the Chancellour, etc., shall by auctoritie aforsaid according to the auncient usage make lettres patentes to the person or persons so elected undre the kinges great seale of Irlande of, for and concernyng the rowlme of Justice of this realme of Irlande, whiche person or persons being so elected as is aforsaid, aftre he or they be solemnely sworne according to thauncient ysage in this realme, shall have, use and enioye like auctoritie, pre-emynence and dignitie to eny purpose and respecte as the kinges Lieutenaunt or Deputie there next before him being made, by the kinges most gracious lettres patentes lawfully had and used. To have, hold, possesse, exercise and enioye the said office of Justice or governour with the said auctoritie, etc., unto suche tyme as the kinges highnes, his heires or successours, do admytt and auctorise one to be his Lieutenaunt, etc. ; and unto suche tyme as the said Lieutenaunt, etc., so auctorised do take and receve his othe as hath bene afor custumed after any suche advoidaunce, and of any auctoritie given or prescribed unto him or them at any tyme before the first day of this present parliament, other then by the kinges lettres patentes, be clerely damned, adnichillated, repeled, made voide and of noon effecte."

Ex. per { Nicholaum Stanyhurst / Thomam Alen } clericos hanaperii.

November, 1494.
[1497–1498.]

[For this 'Act for the election of the Lord Justice' see *Statutes at Large, of Ireland* (1786), vol. I, pp. 207–8 ; the Irish Parliament of 1542, chapter II].

287.

Seventeenth century copy of a grant of the manor of Ardmulghan made by Henry VII to James Ormond.

"The King to all greeting. Know that of our special grace we have granted to James Ormond, knight of our body, our lordship or manor of Ardmulghan and advowson and provision of the church there, also our lordship of Belgard, Foure, Demor and Derver in county Meath with all leets, courts of view of frankpledge, wardships, etc., pertaining thereto, by the service of one knight's fee. Also our lands and tenements in Callan, Loghmeran, Ratheston, Calanston (? Calauston) etc., in county Kilkenny. Also all our lands and tenements called the "Erlesgrove," Kilmororussyn, and the "ould mylne" near Clonmel with all their appurtenances in county Tipperary. Also all castles, manors, lands, rents, services, etc., marriages, escheats, knight's fees, etc., etc., and other our possessions in the said counties to these castles and lordships, etc., pertaining; which castles, lordships, etc., are parcels of the lands and tenements of the Earl of March, of which we are seised in right of our dear consort, Elizabeth Queen of England.

To have and to hold the said lordships, castles, etc., to the said James and the heirs male of his body begotten for ever, of us and our heirs by fealty, notwithstanding any statutes to the contrary made.

Teste the King at Canterbury on the 12th day of September in the 10th year of his reign."

Conuenit cum recordo et examinatum per me Ricardum Broughton.

September 12, 1494.

[For the James Butler to whom this grant was made see Bryan: *The Great Earl of Kildare*. He was an illegitimate son of John, 6th Earl of Ormond (d. 1477, unmarried), by Raynalda O'Brien. He arrived in Ireland in December 1491, with the favour of Henry VII and of Earl Thomas, his uncle, who appointed him deputy for his lands in Ireland. This brought him into conflict with Sir Peter Butler, son of James, who considered he had an hereditary right to Deputyship for the absentee Earl. After playing a vigorous and ambitious part in

Irish politics, Sir James was finally slain by Sir Peter on July 17, 1497. He is called in the annals Dubh ("Black"), just as Peter or Piers is called Ruadh ("Red"). See Deed 292 for his appointment as Constable of Limerick.

The Calendar of Patent Rolls, 1485–1494, p. 368, under date December 12, 1491 records a "grant to the King's servant, James Ormond, of all castles, lordships, manors, lands and rents in the counties of Meath and Kilkenny, and in the Liberty of Tipperary in the land of Ireland, being parcel of the lands of the Earl of March for two years; and after that during pleasure."]

288.

Letters patent of Henry VII (in English) on behalf of Thomas, Earl of Ormond, concerning an Act of Resumption.

"Henry, King, etc., to the deputy Lieutenant, Chancellor and Treasurer of our land of Ireland and to the lords, spiritual and temporal, chief justices, proctors and commons, and to all others having place in our parliament there, greeting. Whereas by an act of general resumption made in our parliament held within our land of Ireland, all such seignories, manors, lands, tenements, rents, reversions, prise of wines, etc., as our right trusty and well-beloved cousin, Thomas, Earl of Ormond, or any other to his use then had in our said land, were for certain considerations specified in said act among others resumed and taken into our hands and so yet remain, We, not wishing our said cousin to be prejudiced or damaged by the said act but to be in as good condition as he was before the making of it, do charge you and all of you to suffer our said cousin and his officers in his name and by his authority to take and receive all manner issues and profits due of the said seignories, manors, etc., the said act of resumption notwithstanding, without impediment or vexation by you or any of you or other your officers in the said land. These letters to be sufficient warrant of the premisses. Provided always that two parts of all the premisses with the issues and profits of the same, because of the absence of our said cousin out of our land of Ireland be or remain to be used for the defence of the said land of Ireland according to the old ordinance, usage and custom of the same; and also saving to us and our heirs all such right.

title and possession, etc., as we have in all the premisses or any part of the same according to the said act of resumption.

Given under our privy seal at our manor of Shene on the last day of March in the x . . (*faded* : ? 14th) year of our reign."

[? 1495 *or* 1499].

Dorso : Kinge H. 8 (*recte* 7) his letter in behalf of Thom. E : of Orm. conc. the act of resumption.

[The Act of Resumption referred to was probably the sweeping one passed by Poyning's Parliament early in 1495 : *see* Conway : *Henry VII's relations with Scotland and Ireland.* Appendix 23].

289.

Indenture made in the Bishop's court at Kilkenny on March 16, in the year 1494, between John son of John called " cocus " le Butler, and Oliver Cantewell, bishop of Ossory, to the effect that said John, with the assent of his heir, his sons and kinsmen, granted for a pledge of twenty-two cows to the said bishop certain towns of his, viz. Aghteyrte, Lysdowny and Kylbride in the barony of Agheyrte in county Kilkenny with all their appurtenances, to have and to hold to said Oliver and his assigns of the said John and his heirs, rendering yearly a sum of eight pounds.

Witnesses : The venerable Robert Hedyan, official of Ossory, Sir John, chaplain of Tyllagh, William Purcell and others.

March 16, 1495.

290.

Edmund Benet and Katherine Bane [? Bone] give and grant to Patrick son of Thomas White, burgess of Clonmel, all their lands and tenements in the borough (*burgageria*) of Lysronagh to have and to hold to him and his heirs, etc.

Given at Clonmel on the 14th day of May in the 10th year of Henry VII.

May 14, 1495.

291.

Indenture made at Ross on the 17th day of June in the year 1495 between Clement son of William Butler and Donald O'Trassye, witnesses that Clement has given and granted and for the term of fifty-nine years let to Donald a messuage with a garden adjoining in the town of Ross, which messuage lies in breadth with the garden from the Market street on the south to the common road on the north and in length from Nicholas Britoun's land on the west to the land of St. Saviour's on the east. Also Clement has granted to Donald an acre of land outside the same town which lies from the high way on the south to the common land on the north in breadth and in length between the King's way which leads to Mountgarret on the east to the walls of the town on the west. Rendering yearly to the said Clement and his heirs 3*s*. of lawful money yearly.

Witnesses: Henry Cotterel, Thomas Butler, Robert Nevyll, Thomas Benet, Thomas Canlane, John Hyde and Robert Benet.

June 17, 1495.

292.

Letters patent of Henry VII in favour of Sir James of Ormond.

"The King, etc., to the mayor and bailiffs of his city of Limerick, greeting. Know that by our letters patent dated at Westminster on the 16th day of June in the 9th year of our reign of our special grace, We have granted to James Ormond, knight of our body, the office of constable of our castle of Limerick, and appointed and ordained him constable of the same, to have and to hold the said office to himself and the heirs male of his body begotten. Also for the occupancy of that office we granted him and his heirs ten pounds yearly out of the fee farm of the city of Limerick by the hands of the mayor and bailiffs of the same, to be paid yearly, also all profits, fees, wages, etc., pertaining to the said office.

Teste Henry, bishop of Bangor, Justiciar of Ireland, at Dublin on the 6th day of February in the 11th year of our reign."

February 6, 1496.

293.

Letters patent of Henry Fagan, citizen of Waterford, to the effect that whereas Patrick son of Edmund Dowe of Clonmel enfeoffed him by his charter of enfeoffment and letter of seisin in a tenement in Clonmel, he now wills that said Patrick and his heirs may have and possess all the rents of the said tenement for a term of four years, paying to Henry a rent of eight pounds during the said term.

October 8, 1496.

294.

Katherine Baarr, with the consent of Richard Vaale her husband and Philip and Edmund Vaale her sons, gives and grants to William Casshyen of Carrge (Carrick-on-Suir) a messuage and three acres within the said town, to have and to hold to him and his heirs for ever.

To these presents she has set her own seal together with those of her sons.

Given at Kilkenny on the 9th day of November in the 12th year of Henry VII.

November 9, 1496.

Two seals perfect.

295.

Royal pardon to Sir Piers Butler.

This pardon, granted at the request of the Earl of Kildare, Lord Deputy, is sweepingly inclusive of all the crimes against the King and the King's peace which might be brought against a subject of the Crown in Ireland. Particularly interesting are the references to the giving or selling of horses, arms, victuals, salt, steel and English cloth to "Irish enemies and English rebels," as well as "alterage and gossipred (*compaternitates*)" with the Irish enemy, as penalised by the Statutes of Kilkenny, and also the taking of "coign and livery" from the earth-tillers, taking the field against private enemies or the government with banners displayed, etc., and all such "abominable customs" as are condemned in the statutes 'of Poynings' parliament.

The date of the pardon is February 28, 1498.

The latin text is as follows.

" Henricus dei gratia Rex Anglie et Francie et Dominus Hibernie omnibus ballivis et fidelibus suis ad quos presentes littere pervenerint salutem. Sciatis quod nos de gracia speciali de assensu carissimi consanguinei nostri Geraldi comitis Kyldare deputati nostri ac precarissimi secundogeniti filii nostri Henrici ducis Ebor locum nostrum tenentis terre nostre Hibernie perdonavimus, remisimus et relaxavimus Petro Botiller militi quocumque nomine censeatur sectam pacis nostre que ad nos versus ipsum pertinet pro omnimodis prodicionibus, feloniis, raptibusm ulierum, rebellionibus, insurrectionibus, donacionibus, et vendicionibus equorum armorum victualium ferri salis seu pannorum Anglie Hibernicis inimicis seu Anglicis rebellibus et utlagatis nostris ac alteragiis compaternatibus, et " caysse " cum eisdem inimicis nostris ac falsis alliganciis confederacionibus et conspiracionibus cum eisdem inimicis nostris ac receptamentis eorumdem et adhesionibus eisdem ac fraccionibus pacis seu treuge nostre necnon et de omnimodis roberiis latrociniis, incendiis, insidiis viarum, depopulacionibus agrorum, equitacionibus cum vexillis displicatis, homicidiis, murdris, oppressionibus, " coygnis," liberacionibus, " lyverys," extorsionibus, manutenenciis, trans gressionibus, ignoranciis, concelamentis, contemptibus, reprisis, statuum ac de omnibus aliis excessibus et offensis quibuscunque per ipsum Petrum ante hec tempora contra nos et communem legem nostram seu contra quecunque statuta qualitercunque factis illatis sive perpetratis unde indictatus rettatus seu appellatus existit vel non existit, ac etiam utlegarias si que in ipsum Petrum occasionibus predictis seu earum aliqua fuerint promulgate et firmam pacis nostram ei inde concedimus. Ita tamen quod stet recto in curiis si quis versus eum loqui voluerit de praemissis vel aliquo praemissorum. Et ulterius perdonavimus remisimus et relaxavimus eidem Petro omnimoda debita et compota et arreragia debitorum et compotorum, fines, exitus, amerciamenta, relevia, scutagia. regalia, servicia et alia proficua quecunque nobis per dictum Petrum qualitercunque ante hec tempora debita pertinencia sive spectantes. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste praefato deputato apud Dublin octavo die ffebruarii anno regni nostri terciodecimo."

February 28, 1498. Per breve privato sigillo Nangle.

296.

Two Deeds.

1) Thomas Troy grants to Sir Philip Kepe, chaplain, a castle and a messuage adjacent, and seven acres of arable land along with wood and pasture lying in the bounds (*in forinseca*) of Knocktopher ; of which the castle and messuage with their appurtenances lie in breadth between the monastery of the brothers of the order of the Carmelites there on the west side and the messuage which now belongs to the parish church of St. David and the land of the Prior and convent of Kells there on the east side ; and in length they lie between the meadow of said brothers on the south side and the King's way there on the north side ; and the seven both of arable as of wood and pasture lie between Carteresland and the King's way on one side and the Earl's land which formerly belonged to John Houlyn near the small mill there on the other side. To have and to hold to him and his heirs for ever, of the chief lords of the fee. Given on the . . . day of November in the . . . year of Henry VII.

Seal.

2) John son and heir of Thomas Troy gives and grants to Sir Philip Kepe a castle and messuage as above.

Given on the 14th day of April in the 7th year of Henry VII.

April 14, 1499. Seal.

297.

Indenture made between Thomas, Earl of Ormond, and Master John Staunton, public notary, witnesses that the Earl has granted and to farm let to the said John, his heirs and assigns, the manor of " Barronys Innys " in St. Bride's parish near Dublin, to have and to hold for a term of forty-one years, for a grain of wheat for the first ten years and for the rest of the term for twenty shillings of lawful money of Ireland. (Provisions follow for payment of the rent and the return of the manor).

August 1, 1449. Seal.

Dorso : A lease of barons innes to John Staunton by the Earle of Ormond.

298.

Copy of an act exempting the Earl of Ormond from the operation of the Act of Resumption.

Inspeximus of Henry VII of the enrolment of an act of parliament held at Tristeldermot on Monday last [August 26, 1499] before Gerald, Earl of Kildare, Deputy of Henry, Duke of York, Lieutenant of Ireland, enrolled in the Chancery of Ireland in these words. [The rest is in English, modernised as follows].

" Item at the humble supplication of Thomas Earl of Ormonde, by whatsoever name or names he be named or called, that whereas it was ordained by an Act of parliament held at Drogheda in this land of Ireland on Friday next after the feast of St. Andrew the apostle the . . . year of the reign of our sovereign lord, King Henry the VIIth, before Sir Edward Poynings, knight, then Deputy of this land of Ireland to our said sovereign Lord, for divers considerations in the same act specified, that there there should be taken into the King's hands all manner of honours, manors, lordships, castles, garrisons, fortresses, advowsons of churches, free chapels, prise wines, lands, tenements, rents, services, moors, meadows, pastures, woods, rivers, water-mills, dovecots, parks, forests, farms, customs, fees, fee-farms, annuities, exemptions and all manner of profits, hereditaments and commodities, whereof our sovereign lord the King or any of his noble progenitors, kings of England, were at any time seised in fee-simple or fee, from the last day of the reign of King Edward II to this present act/and by the same authority all manner of feoffments, gifts in tail, grants, leases for term of life or term of years, confirmations, annuities, fees, escheats, wrecks, waifs, reversions of all and every of the aforesaid honours, manors, lordships, etc., as is above specified or any piece of them/as well by authority of parliament as by letters patent made under the Great seal of England or of Ireland to any person or persons named jointly or severally, from the said day/be resumed, revoked, admitted and deemed void and of no effect in law, as by the same act of resumption more at large it appears. And whereas the King does not wish the said Earl to be prejudiced, damaged, or hurt by reason of the act, it is ordained, enacted and established by Parliament that the same act of resumption and every other act or acts made in the said parliament, as far as they be pre-

judicial or hurtful or may concern the said Thomas, Earl of Ormond, and his heirs or any feoffee or feoffees to his use or their heirs, be revoked, repealed and deemed void and of no effect in law. And that the said Thomas, Earl of Ormond, and his heirs by the same authority be enabled and restored to his name, dignity and estate, honours, pre-eminence that he had, or was of, on the first days of the said parliament. And also that he be restored to inherit, have, hold, possess and enjoy all honours, manors, etc., exemptions and all other profits, etc. that he or any feoffee or feoffees to his use have lost or should have lost by reason of the said act of resumption or any other act or acts made in the said parliament, in such manner and form, state and condition and in as ample a manner as he should or might have done notwithstanding the said act of resumption or any other act or acts made in the said parliament or in any parliament since to the contrary. And that it be lawful to the said Thomas Earl of Ormond and to his heirs, and to all his and their feoffees, etc., and to every of them or their heirs to enter into all honours and exemptions and all other such profits, etc., as were resumed, taken or seised or to be seised into the hands or possession of our said sovereign lord by the said act of resumption or any other act or acts made in the said parliament or since or which ought to have come into the hands of the King in any way by force or reason of the act of resumption or any such act or acts, etc., as well upon the possession of the King as of any other person or persons. And they shall have, hold, possess and enjoy in like manner the form, state and condition they or any of them might have had if the said act of resumption or any other act or acts made since had not been made or any other act or acts, etc., without suit thereof, or any parcel of the same, out of the King's hands by livery or otherwise. And also it is ordained, etc., by the said authority that all patents, confirmations and grants /made to any person or persons by the King or his Deputy or Deputies in the land of Ireland, after the resumption and other the premisses or any parcel of them /be utterly void, etc. And also the said Earl of Ormond and his heirs, may by themselves or their officers take and receive all manner of issues and profits due out of the said honours, castles, fees, prise wines, etc., etc., and all other the premisses from the time of the said resumption, and so from henceforth without any impediment, etc., by the said

Deputy or any other Deputy for the time being, or any other officer or officers within the said land of Ireland. Provided always that the two parts of all the revenues, issues and profits of the premisses /because of the absence of the said Earl of Ormond or his heirs out of the said land of Ireland/be and remain to the use of our said sovereign for the defence of the said land, according to the old ordinance, uses and customs of the same. And also the said Earl and his heirs may at their own pleasure make their own stewards, bailiffs, receivers, and all other their officers of and in all the aforesaid honours, castles, garrisons, fortresses and all other the premises within the said land of Ireland, and the same and every part thereof to let to fee-farm to such persons or persons at their pleasure, the same officers finding surety to the Deputy or Treasurers for the time being to content the two parts of all the issues, profits, etc., by reason of the absence of the said Earl of Ormond out of the said land of Ireland as is before rehearsed any act or acts made or to be made in this present parliament or any other parliament notwithstanding. Provided always that this act be not prejudicial or hurtful to the reverend father in God, Walter, Archbishop of Dublin, or his successors for any annuities or yearly rent due unto him as in the right of the Archbishop of Dublin out of the manor of Portrane."

The inspeximus is tested by Gerald, Earl of Kildare, Lord Deputy, at Dublin on the 7th day of October in the 15th year of Henry VII.

Ex. per Johannem Alleyn et Thomam Rochfort } *clericos.*

October 7, 1499.

Dorso : The original of this is An Act Repealing Poynings Act of Resumption for any thing that Concerns the estate of Thomas Earle of Ormond.

[See deed 316].

299.

Two Rentals.

1) The manors of Oughterard and Ikethy

Memorandum de Haghart Cey for their cottages

Sir Nicholas Nongyll	8*d.*
Maywe Cod	4*d.*

Shane O'Cochanyn	4*d.*
Robert Glerne	3*d.*
Robert Glerne, senior	4*d.*
Janyn Broun	3*d.*
The curtilage of the Gotreowe	
Total	
Hary Nongill	5*d.*
Phillys Torryn	6*d.*
Philip Glorne	4½*d.*
Richard Collan	4½*d.*
Downyll O'Kenwan	4*d.*
Tybyn Bras	3*d.*
Gyllepatryc Talowr	3*d.*
Gylleroch	4*d.*
Thomas Rawre	4*d.*
Richard Reynell	6*d.*
Richard Whyt	4*d.*
Maccadyn Flemyng	4*d.*
William Canlan	4*d.*
Schan Olthag	6*d.*
Schan Mor Flemyng	1½*d.*
Alex. Wyot	1*d.*
Janyn Chatyne	1*d.*
Anstas Mochan	1*d.*
Donot Roth	3*d.*
Saw Enyen	6*d.*
Morys Tory (?)	2½*d.*
Gylledowy O'Dwyer	2½*d.*
Total 6*s.* 6½*d.*	

Schetelond

Thage O'Henan, 2 acres and 1 stang	6¾*d.*
John Graunt for Prestysfeld 2 acres	6*d.*
Walter Nongyll in the "Brodfel for an acre"	3*d.*
William Row 3 acres for Goyerysdyche	9*d.*
Janyn Arscheboll for 1 acre	1*d.*
William Awnell	18*d.*
Thomas Doget	2*d.*
Joan Whyt	2*d.*
Richard Nongill	½*d.*
Total 4*s.* 4*d.*	

Schetelond

William Whyt for ' the Elwys mede '	12*d.*
' The Schotyn mede '	5*d.*
Donot Tornowr	10*d.*
William Canlan	10*d.*
William Whyt	4*d.*
Philip Burnan	10*d.*
Walter Tobyn for " a mede "	6*d.*
Jonyn Broun, an acre	3*d.*

[? *Circa* 1500. This rental is in English].

2) Undated rental in English of small holdings (apparently connected with the above document).

" Ffrontis ye cornell of Kilmehowe, item in ye Palard hys felde Lokolly ye newe parke Byrton ys felde ye shortlond ye moche Benan ye lytyll Benan ye Hywys feld ye Hernys feld ye Kepat ys feld Monchorke."

Under " ye ffrontis " the tenants' names are those of Harry Nongill, Gylldot O'Byrnyn, Thomas Elyot, Thomas Whyt, Downyll O'Kenwan, Ustas Synch, Philip Glerne, John Grant, Thomas Sawr, Richard Colan ; their holdings are in acres, half acres, stangs ; total rental 7*s.* 4*d.*

Under " the Pallard " the names are Richard Nordyn, Richard Nethe, Philip Glerne, Sondyr Glerne, Nicholas Kyrdow, Nicholas Awnell, William Canland, Maccadyn Flemyng, Malaklyn O'Haly, etc. Rental 8s. 7*d.*

Under " Logholly " the names are Thomas Mac Elyot, Richard Collat, Tybyn Borke, John Borke, etc. Rental 8*s.* 7*d.*

And so with the other places named above ; the tenants' names are much the same and the holdings never more than two, and often a half acre.

The total rental comes to 5*l.* 6*s.* 8*d.*

[? *Circa* 1500].

300.

Thomas Rochfort, clerk, Precentor of St. Patrick's Cathedral, Dublin, appoints Richard, Baron of Barnchurch, his attorney for receiving seisin of one castle and a hundred acres of land at Donomogan from Peter Butler, knight, and all lands and tene-

ments, rents, services, etc., in the towns and fields of Balykyve, Brownestown near Kilkenny and Balynegeragh near Knockthoghir.

June 30, 1500.

301.

Five Deeds tied together, relating to a question of prisage of wines between Waterford and New Ross, dating from 1501 to 1519.

1) Inquisitions taken at Inistioge before Oliver, bishop of Ossory, and Nicholas Everard (lawyer), Justices of the King specially appointed by letters patent, on Thursday next after the feast of St. Luke the Evangelist in the 17th year of Henry VII.

Robert Froyn of Rodestoun, gentleman
William Bretnagh of Rosbaucon, gentleman
Thomas fitz Geffroy of Haggard, gentleman
Fulc de Dun of Grenan, gentleman
John Poer of Inystiok
Patrick Gollan of Inystiok
David Dobbyn of Thomaston
Nicholas Dobbyn of Inystiok
Richard Poer of Thomaston
Nicholas Dobbyn of Dobbyn Wodde, gentleman
Nicholas White of Thomaston
Robert Walsh of Inystiok.

These say upon oath that the township (*villa*) of Rosse lies within the bounds of Rodebak and Ryndowan, and that the said mayor, bailiffs, and citizens [of Waterford] are accustomed from a time beyond the memory of man to choose out two casks of wine from every ship laden with wine that comes within the bounds of Rodibak and Ryndowan and goes to Rosse and there unloads, and to take the wine from one of the said casks to their own use for the sustenance of the said city, and the other cask to the use and pleasure of the Earl of Ormond, peacefully and without hindrance, until lately they were deprived by the sovereign and burgesses of the aforesaid town of Rosse.
October 20, 1501.

Seals of William Bretnagh, David Dobbyn, Richard Poer, Nicholas Dobbyn, Nicholas White, Fulc de Dun, Nicholas

Dobbin, Robert Frene, John Poer, Patrick Gollan, Thomas fitz Geffroy, and Robert Walshe. (All fragmentary).

2) Letters patent (in latin) from Henry VII to Oliver, Bishop of Ossory, and Nicholas Everard, "narrator"; declaring that "whereas the mayor, bailiffs and citizens of Waterford, by petition to Gerald, Earl of Kildare, deputy for our son Henry, Duke of York, then lieutenant, and to our council in Ireland, showed how they and their predecessors were accustomed from a time beyond the memory of man to choose out two casks of prise wine from every laden ship going to the town of Ross to unlade, viz. one cask from before the mast and one cask from aft, of which casks the said mayor and bailiffs had one, to raise therefrom 100 marks towards the fee-farm of the said city, and of that right they were in peaceful possession until lately by virtue of a commission from us they were deforced of it by certain burgesses of Ross; wherefore they pray for remedy. We therefore, as well for our own rights as those of the said mayor bailiffs and citizens, and wishing that justice be done, and having full trust in your faithfulness and assiduity in this matter, have appointed you to inquire by the oath of true and lawful men of the county of Kilkenny and the Crosslands therein, as well within liberties as without, by whom you may best know the truth of this matter, in the presence as well of the said Mayor and Bailiffs as of the said sovereign, reeves and burgesses of Ross, if they are willing to come to Inistioge; whether the mayor, bailiffs and citizens of Waterford and their predecessors were accustomed or not to choose one of the said casks of prise wine from ships coming to unlade at the said town of Ross as aforesaid and whether the said town of Ross lies within Rodybak and Randowan. And you shall send without delay the inquisitions, drawn up clearly and plainly, to us in our Chancery of Ireland, under your own seal and the seals of those by whom it is made, along with this writ. In witness whereof we have caused to be made these our letters patent.

Treste the aforesaid Deputy at Dublin on the 6th day of July in the 16th year of our reign."

July 6, 1501. *Per consilium. Nangle.*

Dorso: A commisshon sent to the Byshop of Ossory and others

to enquiere whether Rosse was within Rodibak and Rindown and have paid one ton of your prise wyne to Waterford.

3) The latin text of this interesting document is given in full.

" Universis et singulis alme matris Ecclesie filiis ad quorum notitiam presentes littere testimoniales pervenerint. Nos Oliverus dei et apostolice Sedis gracia Ossoriensis episcopus ac Willelmus dei patientia decanus Ecclesie cathedralis eiusdem Ossoriensis salutem in domino sempiternam et presentibus hiis litteris nostris fidem adhibere indubiam. Noverit vestra universitas quod anno ab Incarnatione domini millesimo quingentesimo decimo nono et anno illustrissimi regni Regis nostri Henrici octavi decimo vero die mensis Aprilis, in domo cuiusdam Thome Vale ac in suburbiis ville Kylkennie Ossoriensis diocesis nobis predicto episcopo ac decano inibi ad tunc pro tribunali sedentibus una cum subscriptis testibus, nobiles et circumspecti viri maior ballivi cives et communitas civitatis Waterfford per suos legittimos attornatos Johannem Rothe et Patricium Strong concives predicte civitatis sequentem ministrabant articulum : videlicet quod omnes naves que intrabant et cotidie intrant onerate et carcate cum vinis a conquestu terre Hibernie usque ad presens tempus in et per totum burgum et portum domini Regis de Waterfford ' predicta ac ubicunque infra dictum portum dicte naves sua vina discarcabant semper solebant dare et solvere vinum presagii domini Regis maiori et civibus civitatis predicte Waterfford et talis est articulus . Et ad probandum fidem et veritatem huiusmodi articuli coram nobis sequentem testem ydoneum dicti attornati presentabant ; videlicet Johannem filium Johannis Rothe yentleman dominum de Shelam Rathe ac olim superiorem ville predicte Kylkenny sanum mente et intellectu etate adtunc septuaginta octo annorum. Qui productus et ad sancta dei evangelia solemniter iuratus ac deinde interrogatus et in iuris forma diligenter super veritate premissi articuli examinatus dixit et deposuit quod dictus articulus continet in se veritatem et causam reddidit sciencie dicens : cum ego multotiens facultatem mercandizandi occupaverim et exercerem conduxi diversas naves oneratas vinis ad portum predictum et ad keyam ville de Rosponte eas produxi de quibus navibus bene et scienter memini et vidi maiorem et cives civitatis Waterfford libere et quiete recipientes vinum prisagii domini Regis absque aliqua pertur-

bacione clameo aut impedimento superioris aut burgensium dicte ville de Rosponte. Et precipue circa annum domini millesimum quatercentesimum sexagesimum quartum quasi in secundo post conflictum de Ballinifoill anno citra festum Sancti Martini mense Novembris quedam navis nominata ' Sancta Maria ' de villa de Conde (*sic*) onerata atque carcata cum vinis de Ribadnero onere septuaginta doliorum intravit in predictum portum Waterffordie et hoc pertinebat vinum cuidam mercatori po . . (*torn*) Vasces Fernandus nuncupato quale onus vini aut numerum doliorum cum vino quidam Philippus Cafoe mercator de Yoghill mediante denario dei emebat, autumans mercatores civitatis Waterffordie adimplere illud pactum per ipsum initum, quiquidem mercatores civitatis predicte nolebant set tali pacto renuebant. Ideo dictus Vasces vendidit totum illud vinum mihi Johanni Rothe et sodalibus meis aliis mercatoribus : videlicet Johanni Yaneo Ricardo Bennet Willelmo Bennet et Thome Bartley de Rosponte predicta ac David Scarry mercatori ville de Callan pro quinque dacris coriorum quodlibet dolium predicti vini et quelibet dacra corium valebat in moneta currente decem solidos et in solutione pagamenti tredecim solidos et quatuor denarios. Et hoc pacto sic inito et ligato, demum dicta navis applicuit ad navistrigium sive Keyam dicte ville de Rosponte et ibi discarcatum erat totum predictum vinum mihi et sociis meis mercatoribus predictis. De quo vero vino ibidem ad Keyam predictam de Rosponte maior et cives civitatis Waterffordie libere quiete bene et in pace eligebant duo dolia vini pro prisagio domini Regis et absque aliquo impedimento pacifice predictum vinum prisagii per aquam levabant usque ad dictam civitatem Waterffordie. Et hec premissa sunt vera. Et bene memini et vidi per hec sancta dei evangelia. Et hec non deposui prece nec precio, odio vel favore, sed ad fidem et veritatem enucliendam et testificandam.

Et premissa omnia et singula fore acta facta gesta et deposita coram nobis predicto episcopo et decano ac testibus subscriptis prout suprascribuntur et recitantur universitati vestre et vestrum . . . . . (*torn*) innotescimus et certificamus per presentes.

In quidem fidem et testimonium omnium et singulorum premissorum presentibus hiis litteris nostris testimonialibus sigilla nostra ac signa manualia apposuimus. Presentibus ad tunc discretis viris Domino Johanne Tobynn rector de Callann Willelmo

Magh' et Willelmo Archedekyn capellano testibus ad premissa . . . rogatis. Datum apud Kylkenniam nono die mensis Aprilis anno domini millesimo quingentesimo decimo nono et anno regni metuendissimi Regis nostri Henrici octavi decimo.

Oliverus Episcopus Ossoriensis.

Et ego dictus Willelmus Quemerfford decanus ossoriensis manu mea propria sub scripsi."

April 9, 1519. Two seals.

Dorso. Testimoniall of the prise wyne wythyn Ross.

4) Inspeximus by Henry VIII (in latin) of a record of an inquisition in the Chancery files of Ireland, as follows.

" Our lord the King sent to his well beloved Oliver bishop of Ossory and Nicholas Everard, ' narrator,' his letters patent, in these words.

' Henry, etc. as in (2) above.' On which account the sheriff of Kilkenny was commanded to cause to come before the said Justices at Inistioge on the Thursday next after the feast of St. Luke the Evangelist twelve free and lawful men of the aforesaid neighbourhood by whom the truth of the matter might best be known and inquired, whether the mayor, bailiffs and citizens of Waterford and their predecessors were accustomed from time immemorial to choose two casks of wine from every ship laden with wine going to the town of Ross and there unlading, and whether they were accustomed to keep one of the said casks to their use, to raise therefrom 100 marks towards the fee-farm they owe us for the said city ; and whether the said town of Ross is within the bounds of Rodibak and Randowan or not ; and that he should have there this order.

Witness the aforesaid Justices at Inistioge the 10th day of October, 17 Henry VII (October 10, 1501).

" Also the said mayor, etc., were bidden by the said Justices to be present at the said inquisition at the said day and place, if they would ; and the said sovereign and burgesses of the town of Ross were likewise bidden, in this form.

' Oliver, bishop of Ossory, and Nicholas Everard, " narrator," Justices of the King specially assigned by letters patent, to the sovereign of the town of Ross and the reeves and burgesses, greeting. We command you in the King's name to come before

us at Inistioge on Thursday next after the feast of St. Luke the Evangelist (October 20, 1501) to show what you can and say what you can, as well on behalf of the King as of yourselves, why the mayor, bailiffs and citizens of Waterford and their successors ought not to choose out two casks of prise wine from all ships laden with wine going to Ross to unlade, and to keep one of them for their own use, to raise therefrom 100 marks. towards the fee-farm they owe us for the city of Waterford, which right they have enjoyed, as they say, from time immemorial; and also whether the said town of Ross is within the bounds of Rodybak and Randowan.

Given at Inistioge on the 10th day of October, 17 Henry VII.'

'On which Thursday the said sheriff made execution of the said writ and made return that the said writ was fully executed. And on the said day the aforesaid mayor, etc., and sovereign, etc., came here in obedience to a solemn summons, the said mayor, etc., by John Wise their attorney, and the said sovereign, etc., did not come. Therefore the inquisition on the matter was taken by the following:—Robert Freyng of Redyston, William Brennagh of Rossbarcan, Thomas fy Geffrey of Hagard, Fulco den de Grenan, John Poer of Inistioge, Patrick Gollan of Inistioge, Robert Walshe of the same, Nicholas Dobbyn of the same, David Dobbyn of Thomaston, Richard Poer of the same, William White of the same, Nicholas Dobbyn of Dobbynyswode. These jurors say on their oath that the town of Ross lies within the limits of Rodybak and Randowan, and that the said mayor, etc., and their predecessors were accustomed from time immemorial to choose out two tuns of prise wine from every ship laden with wine coming into Rodybak and Randowan and going to Ross and unlading there and to keep one of the tuns thus chosen to their own use for the support of the said city, and the other tun to the use and pleasure of the Earl of Ormond, quietly and peacefully and without contradiction until lately they were deforced by the said sovereign, etc., In witness whereof the said jurors set their seals, on the said day and place. Which writ of the King annexed to this record, along with the inquisition, we, Oliver, bishop of Ossory, and Nicholas Everard, "narrator," have sent to our lord the King in his Chancery.

Given on the said day and place.' 'We have inspected also the

tenour as well of our writ aforesaid as of the said inquisition under the seal of the said inquisitors, according to the force, form and effect of the said record. And we have thought fit to cause the tenour of the aforesaid writ and inquisition to be exemplified at the request of John Wise one of our learned counsel. In witness whereof we have caused to be made these our letters patent.

Witness the aforesaid deputy at Dublin on the 26th day of October in the 24th year of our reign.' "

October 26, 1532.

Exemplificata per Thomam Rochefort et Thomam Nangle } *clericos.* *Nangle.*

5) Memorandum reciting the letters patent of Henry VII and the proceedings taken thereupon, as in (4) above.

" In witness whereof we, Oliver,bishop of Ossory, and Nicholas Everard, " narrator," aforesaid, have affixed our seals and have sent to our lord King Henry in his Chancery this inquisition with the seals of the said inquisitors annexed to this record, along with the aforesaid writ, under our seals."

October 10, 1501.

302.

Two episcopal deeds relating to the marriage of James Butler and Sabina Kavanagh.

1) " Oliver, bishop of Ossory, to all, etc., greeting. Know that on the 6th day of January in the year 1501, Peter Butler, son of James Butler, having with him certain witnesses necessary to him not only for proving the articles on his legitimacy below-given, but also lest he should incur loss through false and unjust reports if in future he could not find a copy, etc., sought humbly and with insistence to have these deeds inspected and the witnesses examined. We therefore, thinking the request just, etc., summoned the noble Theobald son of Edmund and Richard son of Theobald le Butler and all others having an interest in the case, to be before me on the 17th day of the said month in the cathedral church of St. Canice at Kilkenny by general herald. On which day we, sitting in the accustomed seat of judgment and the

parties, Sir Peter the principal and Theobald and Richard, etc., duly summoned, appearing before us, at the instance of Sir Peter we assigned the 18th day of the same month in the parish church of St. Mary of Rosbergon. On which day and place, Sir Peter appearing before us, but Theobald and Richard contumaciously absenting themselves, and being declared contumacious, Sir Peter proceeded to declare the articles of which this is the first ; viz. that Sabina Kevanagh was related to Sir James Butler son of Edmund in a certain degree of affinity. The second is that said James, the said impediment standing, took to him (*traduxit*) Sabina and had two sons by her, Edmund and Theobald. The third is that in time by papal dispensation the said James and Sabina, in spite of the impediment, were allowed lawfully to marry. The fourth is that after the petition for the said dispensation and in virtue thereof, they were solemnly married publicly in face of the church. The fifth is that after the dispensation and marriage Sabina had two sons, Peter and John.

Upon all of which Peter Butler now produces witnesses whose evidence being taken the notary makes into a public instrument as follows.

' The lady Abbess ' de Bello Portu ' of the order of St. Augustine in the diocese of Ossory, the first witness, duly sworn, etc., on the holy Gospels, declares the five articles to contain the truth, because she saw the dispensation and heard of the impediment and was present when the marriage was solemnised between them in the church of Lysterlyn in Ossory. Asked who celebrated mass, she said Henry Londres, then vicar of Knocktopher. Also that the above Edmund and Theobald were born before marriage, and that they were placed with the said James and Sabina at the time of the marriage under a cloak. She said also that the said Peter and John were afterwards born.

Sir Edmund O'Coman, vicar of Rosbargon, second witness, duly sworn, etc., says as regards the first article that he heard said impediment to have existed, and that he knew James to have taken Sabina to himself, and as regards the other articles that a dispensation was granted, that he was present at the marriage in Lysterlyn and saw Edmund and Theobald lying under a cloak there. Also that Peter and John were born after marriage.

William Sutton, gent., of county Wexford, third witness, duly sworn, etc., said the truth as to the impediment was well known

also that the way of birth (*traductio et procuratio*) of Edmund and Theobald was notorious, also that he rode with James Butler from Knocktopher and was present at the marriage, etc.

David Sutton, fourth witness, testifies to the same effect. So do Oliver Grace, fifth; John Forstalle, sixth; Peter Ruffus O'Dugin, seventh; Robert Fren, eighth; Elicia Butler, ninth; Edmund Forster, tenth witness. The latter adds that Sir John Hedyan sent for the dispensation. Walter Barotoun, eleventh witness, testifies similarly. Master John Laffan, 'in decretis Baccalarius,' twelfth witness, says that he saw Donald Fuscus Kevanagh [Donal Reagh McMurrough Kavanagh], father of the said Sabina, sending some priests to the Holy see for the dispensation, who, as it is asserted, returned without it, and that it was sent for again, and before it was granted Edmund and Theobald were born. As regards the other articles he agrees with the former witnesses.

Sabina Kevanagh, thirteenth witness, duly sworn, etc., says that all the articles contain the truth, and that she is the person of whom the first article speaks.

Margaret 'Edmundi,' fourteenth; David Dowill, fifteenth; Brother Nicholas Bossher, canon professed of Inistioge, sixteenth; Sir Dermot O'Clery, vicar of Callan, eighteenth witness, all testify on oath to the same effect, not moved by prayer or price, hatred, fear or love.

Whereupon the said James Butler renounced the production of further witnesses and requested the publication of their evidence; for which we appointed the 18th day of March next in our Cathedral church. On which day, we, sitting in the accustomed place of tribunal, and said Peter Butler being present by proxy but Theobald and Richard contumaciously absent, decreed that the said attestations should be published, as by our letters patent.

In witness of all which to these presents we have set our greater seal (*sigillum nostrum quo ad maiora utimur*) and have asked our notary to write and subscribe the same; there being present Sir Edmund Quemerford, dean of Ossory, and Nicholas Whit, dean of Waterford, Brother Thomas Lathy, prior of Kells, Sir William, vicar of Knocktopher, John Butler and various other clerics and laymen, witnesses called and requested.'

'And I, John Mohland, clerk of Ossory diocese, by Papal and

imperial authority public notary, was present at the above attestations, etc., before the reverend Oliver, bishop of Ossory, etc., and wrote and drew them up in this public form."

Sign and declaration of John Mohland, notary.

January 6, 1501.

(2) "Walter, by divine permission and that of the Apostolic see, archbishop of Dublin and primate of Ireland, to all sons of Mother Church, etc., greeting. Know that in the cathedral church of St. Canice, Kilkenny, during my metropolitan visitation, there appeared lord Peter Butler, knight, holding in his hand a certain petition which he exhibited to us, in these words.

'In the name of God, amen. Before you, most reverend father in Christ and lord Walter, archbishop of Dublin, etc., on the part of the noble lord Peter Butler, knight, it is presented that, whereas formerly James, father of the same Peter in the last part of his life, made him general executor and heir of all his goods movable and immovable by right of heritage due to him, and because it was asserted by some wishing to sow discord, and came to the ears of many, that another than the same Peter ought to succeed to his said father by hereditary right: on this account the said Peter wishing for all time to come to stop the mouths of all and singular who spoke this slander, and lest the truth should perish in the future, brought various witnesses to prove the truth of the matter before your suffragan Oliver, bishop of Ossory, and his official. These having been fully received and a public deposition made, we had a public instrument made of the evidence as above. And in order that this process may obtain greater security we request your grace to examine and confirm the same.

We however, considering the petition, and wishing to do justice, etc., have ordered and made to be cited by due summoners (*apparitores*) all those who claim an interest in the case, especially Theobald and Richard respectively sons of Edmund and Theobald. And because in the term assigned for this no one (*nullus contradictor*) appeared to contravene the process of those who were absent on pain of contumacy, we therefore decided to approve the above process in the fashion which follows.'

' In the name of God, amen, we, Walter, archbishop of Dublin, etc., having seen and perused the deposition of Oliver, bishop of Ossory, and the process made at the instance of James Butler, knight, touching proof of legitimacy, do confirm the same by these presents. In witness whereof we have had these present letters of testimony (*litteras testimoniales*) and this present instrument done and drawn up in due form by our notary below and have set our seals thereto. Given and done in the parish church of Gowran on the 8th day of August in the year 1502 ; there being present master Geoffrey Fyche, official of Dublin, master Nicholas White, dean of Waterford, Robert Hedian, archdeacon of Ossory, and Robert Skeret and John Englisse, canons of the church of Dublin, also the notary below-written and various other witnesses.' "

Sign and declaration of Thomas Walsch, notary, of Ferns diocese.

August 8, 1502. Half of the archbishop's seal left.

303.

Clement Butler, burgess of Ross, gives and grants to Nicholas Bryttoun a curtilage or croft outside the gate ' le Bewlen,' in length from the high way on the east to the land formerly Ellen Barry's on the west and in width from the said Nicholas' land on the south to the King's way on the north. To have and to hold to him and his heirs, etc.

Witnesses : Donatus Talour, then reeve of the same town, Robert Nevyll, John Benet and others.

January 22, 1501. Seal.

304.

Indenture made on the 12th day of July in the year of the Lord 1501, between Sir Peter Butteler, principal of his nation, and Donald son of Hugh McCraych, one of the poets (*unum poetarum*), witnesses that the said Peter has given and granted to Donald Balenicaslan [*or* Baleincaslan] in Datone with all its appurtenances for the term of his life without any secular burden or burden of the country during the said term, freely and spontaneously with all liberty. And if said Donald satisfy

certain rents of Helen (*Heline*), daughter of the Earl of Desmond, then Sir Peter shall satisfy him for such payments out of his own goods and rents. And if it please Sir Peter to reassume the above said town (*villam*) then he shall give other lands to the said Donald according to his request.

Given in the grantor's manor of Knocktopher in the 16th year of Henry VII.

July 12, 1501. Seal of Sir Peter Butler.

305.

Will (in latin) of Alice White dated January 3, 1502, in the presence of Sir Richard White and many others.

Her body to be buried in the cemetery of St. Mary's church at Clonmel near her parents. She bequeaths to Richard Doyr her son with the consent of Patrick Doyr her other son a tenement near the Earl of Desmond's fishpool, to have and to hold to him and the heirs male of his body lawfully begotten. If he die without heirs male, remainder to the said Patrick and his heirs. Also to the said Richard with the consent of Patrick a place of four trenches (*locum quatuor sulcorum*) in a certain garden for the term of twelve years. Also to Joan Doyr her daughter an empty plot (*placea*) on the road which goes towards the church on the west side with the consent of the aforesaid Patrick. To have and to hold to her and her heirs male. Remainder to Patrick and his heirs. Also to the said Joan and Nicholas Striche her husband, with the consent of said Patrick, the house in which testator dwells for the term of twelve years, the house to be returned to her son Patrick at the end of that time "stiffe et staunche." Also to the church of St. Mary, Clonmel, 40*d*. To the monastery of Clonmel 20*d*. To the vicar of Clonmel 12*d*. To Sir Richard White 8*d*. To Sir John Barede 8*d*. To the parish church of Newcastle (*de novo castro*) 12*d*. To the monastery of Surio 12*d*. To the church of Tiberede 12*d*.

Her possessions are given as follows.

Four "trenches (or troughs) of the old madder" (*sulcos antiqui sandicis*) each worth 3*s*., and six of the new (*in novo sandice*) each worth 2*s*. 4*d*.; some small pigs worth 2*s*. 6*d*.; an old platter worth 2*s*.; also a brass pot worth 5*s*. 4*d*.; also a vessel

(*vasculum*) for ale worth 5*d.*; two old boxes (*scrinia*) worth 2*s.* 4*d.*; an iron spit worth 4*d.*; a table worth 16*d.*

Total of her goods, 14*s.* 3*d.* She is owed debts in bushels of oats or wheat or money by various persons such as Malachy O'Kahyll, Cornelius O'Kynedy, Rory O'Dody, Denis O'Cwyne, Matthew O'Honyne, Joan William, Maurice O'Kynedy, Katherine Walche wife of Benedict Poer, John son of the Prior of Cahir and Mariota Inyworochue.

January 3, 1502.

306.

Letters patent of Henry VII, granting English law and liberty to William Casshene, Irishman.

The full text is as follows.

"Henricus dei gracia Rex Anglie et Francie et Dominus Hibernie omnibus ballivis et fidelibus suis ad quos presentes littere pervenerint salutem. Sciatis quod nos de gracia nostra speciali de assensu carissimi consanguinei nostri Geraldi comitis Kyldar deputati nostri ac precarissimi secundogeniti filii nostri Henrici Ducis Ebor. locum nostrum tenentis terre nostre Hibernie, concessimus pro nobis et heredibus nostris quantum in nobis est Willelmo Casshene filio Thadei Casshene seu quocumque alio nomine censeatur de hibernicali nacione et sanguine ut dicitur existenti quod ipse et omnes exitus sui tam procreati quam procreandi liberi sint status et libere condicionis ac ab omni servitute hibernicali liberi et quieti. Et quod ipsi respondeant et respondeantur in omnibus curiis nostris et heredum nostrorum et aliorum quorumcumque prout homines anglici faciunt in terra nostra Hibernie et quod gubernentur sub legibus nostris ac eas libere habere valeant prout anglici ligei nostri eas habent ac eis utuntur. Quodque ipsi terras tenementa redditus et servicia ac officia quecumque sibi et heredibus suis adquirere et tenere heredibus suis imperpetuum valeant. Et quod ipsi ad quecumque beneficia ecclesiastica tam dignitates quam alia beneficia quecumque promoveri ac ea habere et tenere ac eis libere gaudere possint prout homines Anglici infra hanc terram nostram hibernie ea habent et eis gaudent et utuntur libere et quiete et absque impeticione nostri heredum officiariorum nostrorum quorumcumque aliqua condicione hibernicali vel aliquo

statuto incontrarium facto non obstantibus dum tamen idem Willelmus Casshene et exitus sui predicti erga nos heredes et subditos nostros ut fideles ligei nostri se habeant et gerant in futurum. In cuius rei testimonium has litteras nostras fieri fecimus patentes.

Teste prefato deputato apud Dublin decimo octavo die Marcii anno regni nostri decimo septimo."

Per billam ipsius deputati Nangle.

March 18, 1502. Great seal of Ireland.

307.

Three Deeds.

1) William Fleming, burgess of Carrickmagriffin, gives and grants to Patrick son of Thomas Whit, burgess of Clonmel, a tenement with a garden in Carrickmagriffin which lies from the King's way of the same on the south and the land of Thomas Nele on the north in length, and in width between the land of Nicholas McPhilip on the east and John Lang's land on the west. To have and to hold to him and his heirs, etc.

February 17, 1502.

2) Deed of attorney by William Fleming appointing Sir Maurice McAustyn, chaplain, his bailiff for placing Patrick Whit in seisin as above.

Same date.

3) William Fleming (as above) gives and grants to Patrick son of Thomas Whit three and a half acres of arable land in the burgage of Carrickmagriffin which in length and breadth lies between the land of David Hywolan on the east, west and south and Kryspyn's land on the north.

Same date.

308.

Indenture made at Waterford at Easter in the year 1502 between James White, son and heir of Thomas White, and Marion Barrette, formerly wife of said Thomas, of one part and Derby Norman and Mabyna White his wife of the other, witnesses that

said James and Marion gave and granted to Derby and Mabina two messuages and a garden, one messuage being in the city of Waterford (bounds given) and the other lies in the suburb of the city of Waterford in the parish of St. John Evangelist (bounds given). To have and to hold to Derby and Mabyna for their lives or either of them, paying yearly 2*d*. silver.

March 27, 1502.

309.

Indenture made at Kilkenny on the 12th day of October in the 18th year of Henry VII between the vicars of St. Canice's church and James Grace, son of Baron Grace, and his wife Elisia Comerforth, to the effect that the said vicars have with the consent of the Dean given, granted and to farm let to James and Elisia the town generally called Carrystown, to have and to hold to them and their heirs for the term of seventy years, rendering yearly to the said vicars for the first twenty years ten shillings of good and lawful money, with all customs, tallages, bondages (*custumagiis tallagiis bondagiis*) and subsidies due therefrom, and for the remaining fifty years twelve shillings of lawful money with all customs etc. (as before). Said James and Elisia or their heirs to build a chapel within the precincts of the cemetery of the above town at their own costs.

October 12, 1502.

310.

Thomas Gare Prendregast, son and heir of John Prendregast, gives and grants to Nicholas Brytton, burgess of Ross, his heirs and assigns, all his right in one croft, which lies outside the market gate (*portam foralem*) in length from the King's way on the south side to the common land on the north side, and in breadth lies between the lands of the said Nicholas on either side both east and west.

Witnesses: Robert Canlane, then reeve there, Robert Newyll, William FitzHarry, Henry Bran, Nicholas Gregory, John de Ross and James Bennet.

December 9, 1502. Seal perfect.

311.

Indenture made in the episcopal court near Aghour on the 8th day of May in the year 1503 between Richard Smyth, lord of Glascro, and Oliver, bishop of Ossory, witnesses that Richard gave, granted and to farm let to the said bishop the towns of Ballyryn, Ballygawin, Ballyboe and Dowrode, for a term of twenty-four years, rendering yearly to Richard and his heirs three shillings and four pence of lawful money.

Witnesses: Master James Cantwell, official of Ossory, Richard Cantwell and others.

May 13, 1503. Seal.

312.

Letters patent of Maurice, Earl of Desmond, and Peter Butler (so spelled), knight, by which they release for themselves and their heirs for ever to Thomas Roche *alias* Turnour, merchant of the town of Wexford, all actions, real and personal, suits, claims and demands whatsoever which they have or may have against him now or in the future.

July 20, 1503.

313.

Indenture made on the last day of February in the year 1503 between Isabella Androw, wife of John Fagan of Clonmel, and Giliana [later Juliana] Androw, co-heiresses and daughters of Richard Androw formerly merchant of Waterford, on the one hand, and William Brennagh *alias* Walch fitzJames, witnesses that said Isabella with the consent of John her husband and the said Juliana then widow, by unanimous consent for their heirs and assigns give and grant in mortgage to the said William for thirteen marks worth of merchandise and one mark of silver as current then in Waterford a half part of all lands of Androwislande of Caslanneholl in Ossory diocese. To have and to hold the said half part of said lands of Caslanneholl in wood and plain, etc., to the said William Brennagh his heirs and assigns for ever.

February 28, 1504.

314.

Indenture between John Mothyll and John Hyd.

" This endenture made at Rosse the xi day of Avrell the yere of oure lorde God MCCCCCIV and the XIX yere of Kyng Harry the VII betwex Jhon Mothyll Burgeis of Kylkenny in that on parte and Jhon hyd burgeys of the foresayde toown of Rosse of that othyr parte berryth witnys that the foresayd Jhon Mothyll grauntyt and to ferme yew^{t} for hyme and hys ayris and assinguys unto the foresayd Jhon Hyd hys ayris and assenguis Montegarret w^{t} all the lordshuppys there to longyng w^{t} in the frangches of Rosse in tylling grond w^{t} meduis, morys, pastures, woddys, bussh, waters, woerrs and the mylle othyr mylle place w^{t} alle the holl aportenances and provides, nothynge excepted, and as the sayd Montegarret w^{t} all the forsayd lordshuppys lyeth and setteth, markyth and meryd of old tyme, to have and to holde the sayde Montegarret w^{t} all the forsayd lordshuppys in tyllyng grond w^{t} meduys, morrys, pastures, woddys, buschys, waters, worrys and the sayd mylle place w^{t} alle the holl apportenances unto the fore sayd Jhon hys ayris and asignis to the terme of xxxi yeres fully to be complet aftyr the makynge of thys presente date, the teryme herof forsoth to begyne atte mighalmas aftyre the makynge of thys endenture, paynge therfor yerly the sayd Jhon hys ayris and asigniys unto the fore sayde Jhon hys ayris and assignys xxs.

In w^{t}nys of all promysses aforsayde unto thys present endenture every to othyr hatte set to hyr sellys gewynge the day the monythe and date of the yere aforesayde."

April 11, 1504.

Dorso : Mountgarrett in Ross.

315.

Letters of David Savage, sovereign of Kilkenny, John Knarysbroghe, Denis Maldony, Robert Lenard, Robert Rothe, Walter Courcy, Thomas Michall, Peter Archer, Thomas Ley, Walter Sherloke, John Archer, Thomas Mothell and Thomas Lantone of the council of the same town. They have inspected a certain charter of enfeoffment and two writings or letters

sealed with green wax concerning Peter Butler, knight, the tenour of which is as follows.

'Know that I, John Richford [Rochford] of Kilkenny, 'gentilman,' have granted to Peter Butler all my lands and tenements in Balihine, Teseghraghe and all other my lands and tenements adjacent to them, up to the parts or march of Ossory near the lordship of MacGillepatrike, to have and to hold to him and the lawful heirs of his body of the chief lords of the fee. And if he die without such heir, then the said lands, etc., to remain to his right heirs. Given on July 26 in the 19th year of Henry VII, witnesses being Sir Thomas Donyll, Treasurer of St. Canice's, James Purcel and many others.'

'Know all, etc., that I, Peter Butler, knight, have appointed Sir Thomas Donyll, chaplain, to receive in my name seisin from John Richford, etc.' (as above. Same witnesses; but the date, May 26, is before that of the grant itself).

'Know all, etc., that I, John Richford, have appointed Peter Asdekyn in my name to deliver seisin to Peter Butler, etc. (as above).

Given on May 26, in the 19th year of Henry VII.'

The above Sovereign and Council therefore exemplify these deeds, at Kilkenny on January 17, in the 7th year of Henry VIII.

May 26, 1504.
July 26, 1504,
January 17, 1516. Seal of the sovereign of Kilkenny.

316.

Covenant between the Earl of Kildare and Sir Piers Butler regarding the Act of Resumption and prize of wines.

"This indenture made between Gerald, Earl of Kildare, of the one part and Sir Piers Butler, knight, of the other part witnesses that whereas the said Gerald, by reason of his office as the King's deputy of this his land of Ireland, is peaceably possessed of the two parts of all the lands, tenements, rents, services and prise of wines, with their appurtenances pertaining and belonging to Thomas, Earl of Ormond, within this said land by reason of the Statute of Absentees/it is thus agreed and covenanted between

the said parties of their free assent that if it happen that the said Piers have or purchase of the said Thomas the two parts of all the said lands, etc. as before, with the appurtenances, wholly half or a parcel thereof, that then the said Piers shall give and make sure to the said Gerald during his life the one half of the said two parts according to the quantity he may have or purchase of the said Thomas /also if the said Piers have or purchase of the said Thomas the lands of the counties of Tipperary and Kilkenny and the fee of the said Thomas in Waterford, he then shall have the same lands and fee clearly, not paying anything therefor to the said Gerald, the said statute notwithstanding. Also Piers shall give to the said Gerald and his assigns for the life of Gerald, all Oghtrym with its appurtenances ; Gerald to yield yearly therefor to Piers and his assigns ten marks of money. And the said Piers shall truly and faithfully subject himself to our sovereign lord the King and his heirs, kings of England, and shall keep, maintain and support his laws to the uttermost of his powers. Also the said Piers shall follow the counsel of the said Gerald in all his reasonable causes, nor shall he follow the counsel of any person or persons whereby the said Gerald should be unlawfully hurt or grieved. And he shall maintain, aid and assist him against all men to the best of his power in his reasonable causes, the King only excepted. And that all the premisses be well and truly performed the said Piers shall swear on the blessed Sacrament, the Holy cross of Oghterlawyn and upon all other holy oaths and relics, according to the desire and pleasure of the said Gerald at such time as he may require, without delay. For all which the said Gerald shall well and favourably support Piers in all reasonable causes, aiding and assisting him to the best of his power during both their lives. And for the certainty and performance of all the premisses the said Piers binds himself and his heirs and executors by these presents in 1000*l.* of good and lawful money to be paid to the said Gerald, his heirs and executors at his will, if the said Piers does not perform the premisses.

In witness whereof the said Gerald to this half of the indenture remaining with the said Piers hath put his seal."

April 13, 1504.

Dorso : An agreement betwene the Erle of Kildar, Lo. Deputy of Irland and Piers Erle of Ossory concerning prise wines.

317.

Richard Henebre grants to Peter Butler, knight, Margaret Gerot his wife and James Butler their son and heir, all lands and tenements in Ownynge, Fanyngistoun, Balihennebre and Gortklenrush and all their lands and tenements in Saunderistoun *alias* Balyhander, Lasloyn, Scarnanystoun in county Kilkenny.

Witnesses: John Wyse, Walter Englishe, chaplain, and many others.

July 20, 1504. Seal.

Dorso: Signed "Pers Butler."

318.

Letter of Thomas, Earl of Ormond, to Sir Piers Butler.

"My veray good cousin in as hartye manner as I can or may I recommaunde me to you, and have lately received your good and loving lettre bering date at Waterford the xix daye of August, by the whiche I understand that Edmond Butler, sonne unto Thomas Ffits Piers Butler, hathe certeyne dedes, evydences and lettres sealed as he affermyth with the seale of my lorde my graundfader made unto Dame Kateryne of Dessemond and to the children betwene them twayne begoten. By the vertue of whiche dedes as I perceyve by your saied lettre the saied Edmond now of late pretending a false title and interest hathe entred into my Island besides Waterford, and there contrary to all good right and reason hath taken a distresse in the great preiudice of my rightfull enherytaunce. Wherin full lovyngly and discretely ye have advertised me, as well for the conservacion of my saied right as for the repressing of his malycious mynde and false pretence, to write unto my lorde and cousin of Kyldare, to my lorde Chauncellor with other, so that by mean therof ye suppose I shulde the rather obteigne my right. How be it my cousin as yet I shall not persuade therin to ferre to suche season as I may have a substanciall grounde to begynne my sute in this behalf. And in so moche as I reduce to my remembraunce that at my last being in Irland I hard of the same Dame Kateryne, nevertheles I have in

maner forget hir, and therfor I praye you that I may be assured by your writing with thassent and advise of the Dean of Waterford of the trew pedegrewe of the saied gentylwoman, and who was hir naturall fader and moder, and of what lyne she came bothe of the fader and moder, and to how many housebandes she was there maryed unto lawfully, and what issue she had by every of them as nygh as ye can, ffor I marvell greatly by what title, right or reason the saied Edmond shulde make any clame or challenge to any parcell of myn enherytaunce, ffor where as he sayth that my lorde my graundfader shulde make suche dedes of gifte unto the same Dame Kateryne and to thissue of them two begoten it is no mater materiall, ffor by any thing that ever I couth perceyve or knowe, she was never maryed unto my lorde my graundfader. And therfor if she had any issue by him thei wer not legistyme. And therfor I pray you to assure me of all the circumstaunces herof by your writing at large, and that done I shall common with my lerned counsaile to knowe what is ther best advise in this behalf, and therupon to sende you farder notice of my mynde concernyng the same; how be it in the mean season I desire and hartely praye you as my speciall truste and confidence is in you that ye woll re-enter upon him and kepe my possession therof to the best of your power, and suche distresse as he hathe there taken unlawfully, I pray you to see it restored agayne, ffor I am wele assured that he may not lawfully by no maner forsible entre enter into it and to enioy it, considering that it came unto me by discent of auncestors, oneles it be by the determinacion of Assisse. And if ye woll demaunde any lerned man therof I doubt not but he woll shewe you the same. And thus our Lorde kepe you longe in felicite. Yeven at my manor of Newhalle, the xxviii daye of September,

your cossyn,

T. Ormond.

To my right hartely beloved cousin,
Sir Piers Butler, knight, being in Irland."

[The writer is Thomas Butler, Earl of Ormond, who died in 1515. No date is given, but Prim and Graves: *History of St. Canice's Cathedral*, p. 204, who give the letter in full, infer that it was written between 1505 and 1510].

319.

Treaty between Sir Piers Butler, deputy for the Earl of Ormond, and Cormac Oge son of Cormac MacCarthy of Muskerry, by which they renew the ancient friendship between their families and enter into bonds of peace. No date is given but it is between 1505 and 1515, *i.e.* between the date at which we find Sir Piers made deputy for his Irish lands by Thomas, Earl of Ormond, (*see* Deed following) and the death of the Earl in 1515. For Cormac MacCarthy see also Deed 273.

The latin text is as follows:

" Hec indentura facta inter nobiles et prepotentes viros dominum Petrum le Butiler militem locumque tenentem domini Comitis Ormonie in comitatibus suis Kilkennie et Tipperarie ex una et Cormacum Juvenem Cormaci Tadei partibus ex altera testatur quod prefati dominus Petrus et Cormacus ad confirmandum veteres amicitias et antiqua pacis et amoris vincula inter eos eorumque progenitores hactenus inviolabiliter observata et ut ea inter eorum liberos et heredes pro perpetuo observentur, voluerunt stabilierunt ac se sibi invicem perpetue firmitatis vinculo mutuo obligarunt, quod unus eorum alteri salva semper fidelitate et legiancia quibus regie maiestati sunt astricti contra omnes et singulos utriusque sexus homines qui eis aut alteri eorum nocere vellent aut quoquo modo aliqua sinistra vel adversa quavis occasione vel causa machinari omnibus melioribus mediis viis et modis quibus poterunt efficacissimo concilii pariter et auxilii presidio eorum in agendis hinc inde assurgent et assistent ac unus alterius causas tanquam proprias iuxta omnimodas eorum vires et facultates promovebit manutenebit prosequetur et defendet ac eius bonum et utilitatem in omnibus possibilibus procurabit nec licebit uni eorum absque alterius consilio aliqua perpetua pacis federa cum aliquibus inire aut firmare per quam pacem alterius detrahatur potencie utrius aut utilitas minuatur aut aliquod dampnum saltem grave generetur aut ex qua impedimentum possit provenire quominus omnia et singula premissa inter partes predictas possint inviolabiliter observari, hoc tamen salvo, quod Petrus et Cormacus eorumque heredes predicti possint treugas et pacem temporalem cum aliis inire et observare sicut secundum factorum contingenciam eorum utilitati temporis personarum et negociorum qualitate pensata

absque alterius dispendio et huius confederacionis perpetue permansuras preiudicio prospexerunt expedire, et ad omnium et singulorum premissorum firmiorem observanciam partes predicte iuramenta fidejussores et omnia aliarum firmitatum genera secundum quod unus ab altero requiret sibi invicem hinc inde cessantibus dolo suspicione fraude et malicia quibuslibet prestabunt. In quorum omnium et singulorum fidem robur et testimonium premissorum partes predicte hiis litteris indentatis sigilla sua alternatim apposuerunt."

[Undated.] Seal.

Dorso: A league or Amity concluded betwene Pierse Butler knight and Cormake Oge.

320.

Indentures between Thomas, Earl of Ormond, and Sir Piers Butler.

1) "This indenture made the ixth daye of July, in the xxth yere of the Rayne of Kyng Henry the VII, between Thomas Erle of Ormond on the one partie, and Sir Piers Butler, knyght, cousyn vnto the said Erle on that other partie, witnesseth that the said Erle for the singular love and affection and cousynage that he hathe to the saide Sir Piers, hawe by this presentis deputed ordeyned and assigned the said Sir Piers to hawe during the terme of iiii yeres next insuing the date of thes presentis the rule and gouernaunce of the lordsheppis, manours, landis, and tenementis and also the tenauntis of the said Erles within the cownties of Kilkenny and Tuperary within th lande of Irland, and of all other his kynsmen and inhabitantes of the same shyres, and all others that nowe be tenaunts or eny tyme herafter during the said term shalbe ther dwelling within the same shyres, or of ryght ought to be tenaunts vnto the said Erle in any of the said counties or in the counties of Waterford, Cathyrlagh, and Lymerike—except alway and reserued to the said Erle all the proffittes and revenuis of Kylkenny, Gawran, Knoktoffir, Grenagh, Carrikemagryffen, and Dunferte, and annuite or annuall rente of xl. whiche the said Erle hath of the ffee ferm of the Citie of Waterford, and also the nominacion and appoyntment of all officers, as shyreff, styward, senescalles, recorders, counstables, and capteyns of Kerantye within eny

of the said counties or landis aforesaid, belonging to the said Erle, and also excepte the Pryse Wynes, or such other Proffites as the said Erle hathe, or to the said Erle shalbe due or belonging, within the said land of Irland—and that all the said tenaunts and kynesmen and inhabitaunts and every of them to be as obedient and attendaunte to the said Sir Piers in all things concerning ther dutie according to the lawes, custumes, and vsagis of the said land as they sholde and ought to be vnto the said Erle yff the said Erle were ther present in his owne person. Moreover the said Erle woll and graunteth and also gyueth full auctoritie and power by thes presentis vnto the said Sir Piers that he shall in the name of the said Erle entre and take possession of and in all suche lordshipps, manours, landis, tenementis, rentis, seruices, and all other proffutes, or commodities whate so euer they be that by true tale and of weray ryght belong or apperteyne vnto the said Erle within the said counties or within eny of them, or in the counties of Waterford and Lymercke, and be oute of the possession of the saide Erle at the making and sealing of this Indenture, and after such entre into the said lordshepps, manours, etc., the said Piers to have and to holde the said lordshipps, manours, etc. to the said Sir Piers and his heires males of hys body lawfully begotten : the said Sir Piers gyving and yelding for the said Lordships, manours, etc. soe recouered to the said Erle and his heirs the thirde partie of the yerly rents and profutes and avalye yerly growing of the said lordshippis, manours, etc., clere and abowe all the chargis of the same. And as for all such lande and tenements, rentis and seruices as Edmunde Butler, John Butler, Richard Butler, and James fits Edmunde Butler hawe and holde of the said Erle within the said land of Irland, the said nowe Erle is contente that they shall holde and occupie them at his pleasure, paying such rentis and seruices as shall please the said Erle to haue of them therfor, soo that they be obedient vnto the said Sir Piers according to suche power and auctoritie as the said Erle by thes presentis hath gyven vnto the said Sir Piers withoute interruption, excepte alway the pariche of Fynogh that lieth in murgage for a hundred markes, the which said nowe Erle will that the said Sir Piers shall acquite and redeme in whos possessyon soo euer it be ; to haue and to holde to hym, and to his heyres vnto the said Erle or his heyres shall haue repaied vnto

the said Sir Piers the said summe of an hundred markes ; and towching Bellagherr the whiche apperteyneth vnto the said Erlis manour of Carrickmagryffen, and Crompe is Castell, whereof the said Erle will that the said Sir Piers shall hawe the rule vse and gouerrnaunce, and auctoritie to kepe the courte of the Erle is libertie therin. Prowyded also alway that the said Sir Piers by reason of this graunte and auctoritie by the said Erle vnto him gyven do nor cause to be done eny thing contrarie to his dutie, faithe, and legens vnto oure seuereyne lorde the Kyng, ne that may be hurtefull, or eny wyse preiudiciall vnto oure saide souereyne lorde, or his Deputie in the said lande for the tyme beyng, or that may be hurtful or preiudiciall to the Inheritaunce of the said Erle, of his heires, ne to the brege [breach] of the lawes and custume of the said lande of Irland. Prowyded alsoe that yf the said Sir Piers demeane hym self agayne our souereyne lorde the Kyng, or his Deputie ther, other wyse then according to his faith and allegence, or doo in eny thing touching the premissis other wyse then is comprised within thes Indentures, that then the said Indenture and euery artecle and graunte therin to be voyde and of none effecte, and the said graunte vtterly to cease. And yf the said Sir Piers demeane him sylf in suche wyse that eny reasonable complainte be made vnto the said Erle against hym, that then the said Sir Piers shall reforme the same within twelmoneth after the said Erle hathe written vnto hym for the same, and yf he doo not, thes presente Indentures to stande voide and of none effecte. And the saide nowe Erle woll and chargeth that the said Sir Piers indevoyre hym to doo the best of his power to maynteyne and defende the townes of Kylkenny and Clonmell, and all other townes within the said counties belonging to the saide Erle, and to kepe them from oppression and vnlawful impositions, and to see that the said townes may hawe and injoye the effecte of the grauntes and priuileges made vnto the said souerayne and burgessis of the said townes of oulde. Prowyded alwayes that all manner of advousons and presentacions, to the whiche the said Erle hathe eny title or ryght vnto within the said lande of Ireland, be reserued to the said Erle. In witnesse whereof the parties aforsaid, the day and yere affor rehersed to thes presentis ther seales interchangeable hawe sette."

July 9, 1505.

2) "This Indenture made the xxti day of July, the first yere of the reyne of Kyng Henry the eght, witnessth that I Thomas Erle of Ormond hawe gyven and by this my present writing hawe graunted to my ryght welbyloued cousyn Sir Piers Butler, knyght, my manours of Clonecurre, Woghteyrn, Whoghterarde, and Castell Warnyng, with ther appurtenaunces, being in the lande of Irland, to hawe and to holde the forsaid maners, lands and tenements to the said Sir Piers Butler during his naturall lyffe reseruing to me, and to myne heires and assignes, the thirde parte of the yssues and proffutes of all the said manours lands and tenements. Prowyded alway that yff the said Sir Piers Butler or eny other person or persons in his name, at eny tyme hereafter wolde withholde, or stoppe, and not pay to me the said Erle, myne heires, or assignes, the third parte of the said yssue and proffutes comyng and growing to my behof of the forsaid manours, lands, and tenements and of evry parte or parcell therof, as it shall be ordred, provided and knowen to such persons as I shall depute and name at eny tyme herafter in this behalf, and owyr that yf the said Sir Piers obteyned the possession of the said manours, lands and tenements of Clonecurre, Whoghteryn, Waghterarde and Castelwarnyng, with ther appurtenaunts as is aforsaid, and to haue the rule and governaunce of the same to his owne vse and not according to the effect of this my wryting, that then my present graunte clerly to be voide and of noo streyngh ne vertu in eny wyse to be hadde.

In witnesse whereof as well I the forsaid Erle as the forsaid Sir Piers Butler to this Indenture interchangably hawe put owre seales the day and yere afor rehersed."

July 20, 1509.

Note: The text of the above indentures is taken from an *Inspeximus* dated September 25, 1536. The originals of them do not appear to be at present in the Muniment Room, Kilkenny Castle. *See* Prim and Graves: History of St. Canice's Cathedral, pp. 199-205.

They relate to agreements made between Thomas, Earl of Ormond, then an absentee in England, and his kinsman, Sir Piers Butler, afterwards Earl of Ossory and Ormond.

3) " This indenture made the xxth day of July in the xxth yere of the rayne of Kyng Henry the Sewenthe betwene Thomas Erle of Ormond on the oon partie, and Syr Piers Butler, knyght, cousyn to the saide Erle on the other partie, Witnesseth that the said Erle for the singuler love and fauore, affeccion and cousynage that he hath vnto the sayde Sir Piers, hath by thes presentis gyven graunted and confermed vnto the sayde Sir Piers almaner of lands, rentis seruices, manours, with ther appurtenaunces, with all other caswelties and proffites to be taken in Ormond in the lande of Ireland. To have and to hold the said lands, tenements, rentis, seruices, manours with ther appurtenauntes with all other caswelties and proffutes vnto the said Sir Piers and his heires males of his bodie comyng, yelding and paying vnto the said Erle and to his heires yerly the fourth parte of the proffutes, alsow all chargis taken of all the said lands, tenements, rentis, revercions, manours, caswelties and proffuts, with the appurtenaunces, and also sauing vnto the said Erle and his heires the seignory, name and dignyte of Ormond, with the obedyence of all the tennauntes and inhabitauntes of the same. Prowyded alwaies that yf the saide Erle hawe eny yssue male of his bodie lawfully begotten, beyng of the age of xxi yeres and abyding within the lande of Irland, that then during his beyng in the said lande the said Sir Piers and his heires be seised to his vse and behofe of two partes of the said heires males and in like maner to the vse and behofe of all others beyng heires males vnto the said Erle. And also the said Erle by thes presentis doo gywe, graunte, and confirme vnto the said Sir Piers the manour of Tyllagh in Ofelmyth, and the manour of Arclou, with ther appurtenaunts with all other lands and tenements, rentis and seruices, revercions in the countie of Cathirlagh in the lande of Irland and beyng oute of the said Erles possession, to hawe and to holde to hym and to the heires males of his bodie comyng, yelding and paing vnto the saide Erle and his heires males of his body lawfully begotten the third parte of the proffutes taken by the said Sir Piers of the lands and tenementes clerly abowe all chargis, and yf the said Erle die withoute yssue male of his bodie comyng, that then Sir Piers and his heires shall yelde vnto the right heires of the said Erle the fourth parte of proffutes of the lands and tenements aforsaid, clerly abowe all chargys, yerly at the feaste of Mychelmas.

Prowyded that the saide gyftes nether grauntes take none effecte tyll the said Sir Piers recover the possessions of the premisses and also that the said Sir Piers shall yelde and pay vnto the said Erle the fourth parte of that that he shall recewe of the Kynne of Ormond vnto the tyme that the said Sir Piers recontynue other recover the possessions aforsaid, and they soo recontynued or recouered then the said Sir Piers shall hold them by the services aforsaid. Prowyded alwayes that all maner of advowsons and presentacions to the whiche the said Erle hath eny right or title vnto within the saide lande of Ireland be reserued to the said Erle. In Witnesse wherof the parties aforsaid to thes presentis interchangeble ther seales hawe sett."

July 20, 1505. Signed : *P. Butiller.*

4) Paper copy of the indenture of the 20th day of July, 20 Henry VII [1505] by which Thomas, Earl of Ormond, grants to Sir Piers Butler and the heirs male of his body all his lands, rents, services, manors, etc., in the land of Ireland.

5) Letter of attorney of Thomas le Butiller, Earl of Ormond, appointing Nicholas Whit, dean of Waterford, William White, recorder of the city of Waterford, and James Sherlok, lawyer, his attorneys for placing his cousin Peter Butiller, knight, in full seisin of all manors, etc., which he has granted to the said Peter. To have and to hold to him and the heirs male of his body, lawfully begotten according to the force and effect of certain indentures between them made.

Given on the 20th day of July in the 20th year of Henry VII.

July 20, 1505. Signature : *Thomas Ormond.*

6) Letters testimonial of Patrick Walshe, mayor of Waterford, and Robert Strong and James Walshe, bailiffs of the same, that they have seen the indenture of the 20th day of July, 20 Henry VII, made between Thomas, Earl of Ormond, and Sir Piers Butler. They then recite the document (3) above.

April 9, 1532. Seal of the city of Waterford, perfect.

7) Letters testimonial of Patrick Walshe, mayor of the city of Waterford, Robert Stronge and James Walshe, bailiffs of the same, that they have seen and read a letter of attorney made by Thomas, late Earl of Ormond, under his seal and sign manual, to this effect.

"Know that we, Thomas le Botiller, Earl of Ormond, have appointed Nicholas Whit, Dean of Waterford, William White, Recorder of the city of Waterford, and James Sherlok, advocate (*narrator*), our bailiffs for placing our dear cousin Peter Butiller, knight, in full seisin of all and singular manors, lands, and tenements which we have granted to the said Peter. To have and to hold to him and the heirs male of his body lawfully begotten according to the form and effect of certain indentures made between us.

Given on the 20th day of July in the 20th year of Henry VII."

The abovesaid mayor and bailiffs at the request of Sir Piers, Earl of Ossory, have to these letters set the seal of office of the mayoralty of Waterford.

Given on the 22nd day of April in the 23rd year of Henry VIII.

July 20, 1505.
April 22, 1531. Seal of the mayor of Waterford.

8) Inspeximus by Henry VIII of a letter of attorney by Thomas le Butler, Earl of Ormond, enrolled in the Chancery of Ireland, by which he appoints Nicholas White, Dean of Waterford, and James Sherloke his bailiffs for placing Peter Butler in seisin as above.

Teste Sir Leonard Gray, Deputy of Ireland, at Dublin on the 23rd day of October in the 28th year of the reign.

October 23, 1536. Great seal of Ireland.

321.

Letter in English, of Thomas, Earl of Ormond, to James Sherlok, Justice of the Liberty of Tipperary, and William White, Chancellor of the same. The Earl wishes that letters patent be made under the great seal of his Liberty to Sir Piers Butiller,

knight, granting the office of the seneschalship of the Liberty during the Earl's pleasure, according to an agreement made between them.

Given at London on the 21st day of June in the 20th year of Henry VII.

June 21, 1505.

322.

Letter of Gerald, Earl of Kildare, deputy-Lieutenant of Ireland, to the mayor, bailiffs and Council of the city of Limerick.

" ' Whereas our Lord the King and our cousin the Earl of Ormond will that Sir Piers Butler shall have the two parts of the prise wines which rest in the King's hands in Limerick, by reason of the Earl of Ormond's absence, we now charge you that henceforth you deliver the said prise wines unto the Earl or such deputies as he shall appoint.

Given on the 22nd day of February in the 21st year of Henry VII.'

' Copied by me, John Whyte, curte clerk of Lymeryke, worde by worde according to the Deputie is lettre sealed under his signet and at the request and instaunce of John Comyn I wrote it the 11th day of December in the 23rd year of our sovereign lord King Henry the VIIth, in witnes of the which I have leyd here to my name and sign manuell.' "

Sign and signature of the notary, John Whyt, clerk.

February 22, 1506.

323.

Letters patent of the King granting to Peter Botiller, knight, the custody of two parts of the prise of wines belonging to the King in the port of the city of Limerick ; to have and to hold to him and his assigns as long as it shall please the King, without rendering any account.

Teste Gerald, Earl of Kildare, Deputy of Ireland, at Dublin on the 28th day of July in the 21st year of the reign.

July 28, 1506. *Per ipsum deputatum Nangle.*

324.

Indenture made at Ross on the 20th day of September in the year 1506, between Nicholas Byrton [Bryttoun], burgess of Ross, and Margaret Walshe, witnesses that Nicholas has given, granted and for a term of fifty-nine years to farm let to Margaret, her heirs and assigns, a messuage in the street called "Bastestret," which messuage with its appurtenances in length extends from the King's way on the south to the King's way near the wall of the said town on the north, and in breadth on the west from the land of Robert Sumir to certain mears and bounds assigned to the said Margaret in a garden of the said Nicholas on the east. To have and to hold to her and her heirs for the term assigned, paying yearly two shillings and four pence of good and lawful money.

September 20, 1506. Seal.

325.

Indenture made at Clonmel in the monastery of St. Thomas the Apostle in the year 1507, between James Laules, burgess of Clonmel, and Walter son of Theobald Butiller, witnesses that said James has given to Walter in return for a pledge and pawn (*in pignore*) of nine milch cows on the feast of St. Patrick, a small messuage or tenement with a garden annexed on the east side of Clonmel, which messuage is in length between said James' lands and the King's street (*stratam regiam*) on the east and west; and in breadth it lies between the said James' lands on the south and the lands of the vicars of the church of Cashel and Morton on the north.

[? March], 1507.

326.

Four Deeds.

1) Indenture dated March 6, 1506 between Walter Lande, lord of Ketingstoun, and Oliver, bishop of Ossory, witnesses that Walter, with the consent of William Lande, his senior kinsman (*sui senioris consanguinei*), gave and granted for himself and his heirs to the said Bishop and his assigns the towns of

Balirusshell, Awlortlegh, Ballicrompe, Ballifonchin, Aghtorne, Kilmenan and Aghtenagh for the term of thirty years.

(Provisions made for the payment of money rent and return of the said townlands). Present: Sir Philip O'Dugyn, rector of Rathboath, Patrick Cantwell, rector of Glascro, and William Lande and Redmund Cantewell, laymen.

March 6, 1507. Small seal of bishop.

2) William Comerford, dean of St. Canice's, admits himself bound to Peter Butler, Earl of Ormond, deputy of the Lord King in Ireland, in two hundred pounds of lawful money of Ireland.

Given on February 7, in the 14th year of Henry VIII.

February 7, 1523.

3) Richard Butler, knight, admits himself bound to James Butler, Earl of Ormond and Ossory, in a thousand pounds sterling.

March 4, 1542. Signature: *Rychard Butler.*

4) Richard Butler, Lord Viscount Mountgarret, admits himself bound to Thomas Butler, Earl of Ormond, in five hundred pounds of English money. Dated January 22, 1606. Signed, sealed and delivered in the presence of the under-written. Signatures of Henry Sheeth, Foulke Den, John Bussher, Robert Walsh, etc.

January 22, 1607.

327.

Indenture (in English) made at Waterford on the 11th day of April in the 22nd year of Henry VII, between Theobald MacShean, lord of Clonetourigh, of the one part and Richard Roth fitzJeames, gentleman, of the other, to the effect that Theobald with the assent of his brother Shean Oge has given and granted in mortgage to the said Richard the town of Clonetourigh, which town bears four great acres, viz., two in Clonetourigh and two in Mowhime (*or* Mowlume) for twenty-one marks and forty shillings of Irish money.

Present at the signing: Sir Thomas Vale, archdeacon, Thomas Lumbard, Robert Poer and Patrick Stronge, notary.

April 11, 1507.

328.

Robert Sumery of Ross gives and grants to Nicholas Bryttoun, burgess of the same, a messuage which lately he purchased from William son of Richard Sumery, which stretches in length from " le Baste strett " on the south to the King's way which leads to the walls, on the north, and in breadth between James son of Richard Bennett's land on the west and that of said Nicholas on the east, to have and to hold for ever.

January 10, 1508. Seal.

329.

Documents relative to the will of James Butler.

Notarial instrument dated July 3, 1507, made in the city of Waterford in the house of William Whyte, mayor of the same, to the effect that Sir Peter Butler, knight, exhibited before the notary and witnesses specially summoned certain instruments signed and sealed by the Archbishop of Dublin and the Bishop of Ossory, the tenour of which was as follows. The two episcopal deeds (see Deed 302) relating to the marriage of James Butler and Sabina Kavanagh are then quoted.

The instrument proceeds to the effect that in the year 1494 in the 3rd year of Pope Alexander VI on the second week-day (*secunda feria*) before the feasts of SS. Philip and James, in the parish church of Barnchurch in the diocese of Ossory, Sir Piers Butler exhibited the will of his father James Butler to the notary and other witnesses and asked to have it copied and confirmed. The tenour is as follows :

" In the name of God, amen. By the tenour of this present instrument let it appear to all that in the year 1494 on the Monday before the feast of SS. Philip and James, in the parish church of Barnchurch in Ossory diocese, in my presence and that of the subscribed witnesses, the noble Peter Butler exhibited to me (Oliver, bishop of Ossory) the will of James Butler, his father, written on a certain paper deed in public hand (*in quadam papiri cedula manu tamen publica scriptum*) and for better corroboration of the same produced the subscribed witnesses and requested

me to examine them." (The will of his father, Sir James Butler, is then quoted, as follows).

' " In the name of God, amen. I, Sir James Butler, principal captain of my nation, lawful son and heir of Edmund Butler, late defunct, although sick in body sound in mind, make my will, with witnesses standing by, in this fashion.

' First I bequeath my soul to God and the blessed Virgin and all Saints and my body to be buried in the monastery of the Augustine brothers at Callan. But all my movable goods to be distributed according to my will and that of my executor. Also I make and appoint Peter Butler, my natural and lawful son, my true heir and executor, and bequeath him my horse and gown, rendering, however, to my creditors, whose goods I have unjustly had, out of the same horse (*ex eodem equo*) twenty cows or satisfaction according to their will, and out of the gown six cows. Also I give and appoint to him the custody and defence of the lands of my lord the Earl of Ormond as it was given to me and as I have it. Also I give and bequeath to the said Peter a portion of the Holy cross and the shield of St. Michael, and all other relics of saints and all my precious stones and rings with my oracles (*oraculis*), and all jewels which by hereditary right belonged to me.'"

" ' After which, the abovesaid being handed to me and the tenour of it perused, I then proceeded to examination of the said witnesses and examined them secretly and under seal upon the holy gospels ; whose depositions are as follows.

Brother Donatus O'Maly, prior of the brothers of St. Augustine at Callan, first witness duly sworn, etc., says that he was present with the witnesses subscribed in the castle of Knocktopher with Sir James Butler who was then *in extremis*, who there made his will and disposed of his goods according to what is contained in the said deed. Brother Richard Barred of the said monastery, Sir William Molghan, vicar of Knocktopher, and Sir John Horsman, chaplain ; John Molghan, public notary ; Eveline Forstall, John O'Readde, witnesses sworn, etc., all give similar evidence. At the request of Peter Butler the notary made a public instrument of these depositions, there being present Richard, baron of Barnchurch, Patrick Sleger *alias*

de sancto Leodegario, principal of his nation, and the vicar of Barnchurch, namely Sir John Bowland.'

'And we, Oliver, bishop of Ossory, ratify all the above instruments, etc.

Given in our cathedral church of Ossory on the . . . day of the . . . month in the year 1495.'

'And I, William Fyan, clerk of Cashel diocese, public notary, having been present at these attestations, etc., have drawn them up in form of a public instrument.'

Finally Sir Peter Butler, knight, requests the notary below-named to make a full instrument of the three deeds given above which he does.

Done as recited in the said year, pontificate, etc., there being present William White, mayor of the city of Waterford, James Sherloke, bailiff of the same, and William Morese, canon of the church of Ossory, witnesses summoned and requested.' "

Sign and declaration of the notary of the whole instrument, namely Patrick Stronge, clerk, of the city of Waterford, follows.

July 3, 1507.

The will of James Butler, given in the above document, is in latin as follows :

" In Dei nomine amen. Ego magister Jacobus Butler Capitaneus principalis mee nacionis, filius legittimus et heres Edmundi Butler, nuper defuncti, licet eger corpore sanus tamem mente, coram testibus hiis astantibus condo testamentum meum in hunc modum. In primis animam meam omnipotenti Deo, et beate Marie virgini matri eius ac omnibus sanctis lego corpusque meum fore sepeliendum in monasterio fratrum Augustini Kalanie : omnia vero mea mobilia bona distribuenda fore secundum meam meique executoris voluntatem. Item facio et constituo Petrum Butler, filium meum naturalem et legittimum, meum verum heredem ac executorem, ac sibi equum meum et jupam lego et do, reddendo tamen creditoribus meis ex eodem equo, quorum bona iniuste habui, viginti vaccas, aut satisfactionem secundum eorum voluntatem, et ex jupa sex vaccas. Item do et condo sibi custodiam et defencionem terrarum domini mei Comitis Ormonie ; prout mihi dabatur

et habeo. Item do et lego eidem Petro particulam de Sancta Cruce, ac Scutum Sancti Michaelis, omnesque alias sanctorum reliquias, omnesque preciosas lapides meos et anulos cum oraculis meis, omniaque eciam jocalia que jure hereditatis ad me pertinebant, etc."

[*Circa* 1487].

330.

Indenture made at Rosponte (New Ross) on the 5th day of July in the year 1507 between Nicholas Bryttoun, burgess of Ross, and Patrick Comane, witnesses that Nicholas has granted and let to Patrick for a term of forty-nine years two messuages lying together in ' le medyll strett ' there, in length from the market street on the south to the King's way called ' le baste strett ' on the north ; in breadth they lie as assigned and measured for him. To have and to hold for the above term of years, paying yearly two shillings and eleven pence lawful money.

July 5, 1507.

331.

Deeds relating to the Liberty of Tipperary (in latin, and sewn together).

1) Thomas le Buteller, Earl of Ormond, Lord of the Liberty of Tipperary, to the sheriff of the same, ordering him to make an account of the goods and chattels of those whose names are attached to this writ, who have been fined and amerced in the court of the Liberty, and return account to the Earl at the next assize after Easter next.

Teste Peter le Buteller, knight, seneschal of the Liberty, at Clonmel on the 28th day of March in the 23rd year of Henry VII.

(The names of those fined, however, do not appear).

March 28, 1508.

2) Order to the sovereign of Clonmel to bring before the seneschal of the Liberty at Clonmel on Monday after the feast of the Invention of the Holy Cross twelve lawful men of Clonmel

to enquire between William Ferich, plaintiff, and William Lenagh, deforciant.

Teste Peter le Buteller at Clonmel on the 5th day of May in the 23rd year of Henry VII.

May 5, 1508.

3) The names of jurors, given on a separate skin. Several are illegible ; among the others are Nicholas Vaile, James Roche, Nicholas Murthy, Edmund Donoghan, Thomas Burke.

4) William fitz George Comyn, sheriff of the Liberty of Tipperary, to the sovereign and reeve of the town of Clonmel. He has received the writ of the Earl of Ormond in these words. ' Peter le Buteller, Earl of Ormond, lord of the Liberty of Tipperary, to the sheriff of the same. We command you to bring before the seneschal of our Liberty at Clonmel on the fourth weekday after the feast of St. Francis all and sundry measures of corn, wine, salt and ale of the town of Clonmel, also all and sundry merchants with their ells, yards, measures and weights, and also all and singular bakers, brewers, cloth-weavers, fullers, tailors, cobblers, butchers, goldsmiths, carpenters, taverners, also all other craftsmen who dwell in the same town, also all having mills with their millers within the said town and franchise. And in addition twelve lawful men of the vicinity of the said town to enquire on certain articles specially touching us, and further to do and receive what our court shall ordain ; their names to be attached to this writ.'

Teste George (? Comyn), seneschal of the Liberty at Clonmel on the 5th day of October in the 10th (?) year of Henry VIII.

October 5, 1518.

(The writing of this skin, so full of interesting names of trades, is unfortunately faint).

332.

Judgment of the Liberty court of Tipperary.

Letters patent of Thomas le Butteller, Earl of Ormond, Lord of the Liberty of Tipperary, to the effect that he has inspected

a certain record made before his seneschal of the said Liberty in the assizes at Clonmel on May 1, in the 23rd year of Henry VII, the tenour of which follows.

" Pleas of assize held before Oliver Hakkett, lieutenant and deputy of Peter le Butteller, knight, seneschal of the Liberty of Tipperary, at Clonmel on the 1st day of May in the year 1508.

' Assize to determine if William le Butteller unlawfully without judgment disseised Thomas Butteler of his free tenement in Carynde [? Carrick], as to which he pleads that he disseised him of a messuage and two carucates of land in the same town. William, summoned, did not come. A jury summoned said on oath that Thomas Butteler was seised of one messuage, etc., till disseised as above, to the damage of twenty marks. So the judgment of the court was that Thomas should recover seisin and William in mercy.'

The Earl therefore exemplifies the record of the judgment. Given at Clonmel.

Teste Peter le Butteler, knight, seneschal of the Liberty, at Clonmel on the 16th day of May in the 23rd year of Henry VII."

Dorso : Names of the jurors of the assize, viz., Redmund Mauklerk, Robert Power de Ragoll, William Haket de Balidoill, John de Sante John, Thomas B(? rit), Edmund Anglis, Gybon Bremyngham, Robert Woddelok, Patrick Barry de Balydogh, Oliver Haket of Aghymore (*or* Aghymowe), James ———-, James Boyton, Richard Power.

May 1, 1508.

333.

Indenture made at Kilmainham on the 16th day of June in the year 1508 between Brother Henry Levet, prior of the church of Kilmainham of one part, and William Archidekyn *alias* McOde, clerk, and Sir Peter Botler, knight, of the other, witnesses that the said Prior by consent of the lord Prior and the Brothers there has granted and to farm let to the said William and Peter his churches of Urke McOde and Glasseare in Ossory diocese, with all tithes, oblations, and emoluments of the same for a term of five years to come, rendering yearly to the said Prior, his church and assigns a sum of four marks current money

June 16, 1508. Seal

334.

Letters patent of Nicholas, dean of the cathedral church of Waterford, to the effect that Master William White, citizen and recorder of Waterford, by authority of Peter Butler, knight, exhibited a certain process made by David, bishop of Ossory, concerning a dispensation sought from the Holy see for an impediment of affinity between him and Sawina Keyvanagh of Leighlin diocese, sealed with red wax with the authentic seal of the same bishop and subscribed by the hand of Thomas Londres, and asked to have it inspected and a true copy of it made by public notary. The tenour is as follows.

" David, by divine permission and that of the apostolic see bishop of Ossory and executor and sole deputy for the apostolic see on the matters below given, to all, greeting.

' We have inspected letters of our holy father Pope Paul in his leaden bull attached by hempen cord after the fashion of the Roman court, whole, complete and uncancelled, etc., which on the 29th day of August in the year 1465 at our manor of Insnake were presented to us on the part of James Butler, son of Edmund, and Sabina Kavanagh, husband and wife, the tenour of which is as follows :

' Paul, bishop, servant of the servants of God to his brother the venerable Bishop of Ossory, greeting, etc. (*See* Deed 226 of this volume).

All the above acts having been recited, etc., the above Nicholas, dean of Waterford, confirms them and orders a public instrument to be made. Given in the year 1508 on the 23rd day of June. Present : Sir Robert Ude, precentor of the cathedral church of Waterford, Robert Lumbard, master of canon law, Sir Cornelius Cahill and William Humbert, chaplains, James Shethe and Philip Gyne, clerks, of the city of Waterford.

Sign and signature of John Hiland, clerk, citizen of Waterford and public notary.

Seal of the Dean of Waterford in perfect order.

June, 23, 1508.

335.

John Benet, burgess of Ross, son and heir of Richard Benet, defunct, gives and grants to Nicholas Britton *alias* Braton

and Morina Kewanaghe, burgess of the said town, the site of a messuage which now is waste and a vacant place within the said town, which site of a messuage is in length from the King's street called "Bothstret" otherwise "Northstrete" on the west and the land of James Bennet, grantor's brother, on the east; in breadth it lies between the land of St. Mary's church where the said Nicholas now dwells on the south, and grantor's land on the east, and grantor's land now built upon on the west, and between the land of William Bennet now defunct on the south and the land formerly Hugh Rochforde's on the north. To have and to hold to them and their heirs for ever in return for the sum of 12*l.* paid in hand.

Given on the 2nd day of September in the 24th year of Henry VII, in the year 1509 (*recte* 1508).

Witnesses: Sir James Brymygham, vicar of Ross, Nicholas Newell, Robert Canlan and William Brymygham.

September 3, 1508.

336.

Indenture made at Kilkenny on the 26th day of October in the year 1508 and in the 24th year of Henry VII, between Edmund Comerford, dean of St. Canice's, Kilkenny, on one part and Walter Bosshere "colonum" (husbandman) and Joan Herford his wife, on the other, witnesses that the said Dean by the consent of the chapter grants and to farm lets to Walter and Joan, their heirs and assigns, a messuage near the further gate of St. Patrick at Kilkenny, in which Walter and Joan live, for a term of forty-one years, rendering yearly forty pence of lawful money.

October 26, 1508.

337.

Writ of Thomas, Earl of Ormond, to the sheriff directing him to summon the county court of the Liberty of Tipperary and the list returned by the sheriff of all who owe suit.

1) The writ, which is sewn to the skin containing the list of suitors, directs the sheriff to summon archbishops, bishops, abbots, priors, earls, barons, knights and all freeholders; also

from each town four lawful men and the reeve, and from each borough twelve burgesses as well as all who owe suit and attendance, to be before the seneschal at Clonmel on Monday next after St. Bridget's day next coming [February, 1509]. He is also to summon all pleas of the Crown of the Liberty not yet dealt with, all juries of assize, all coroners, all claimants of liberties within the Liberty to have their claims examined by "quo warranto," also the names of coroners, serjeants and all who owe suit at the Liberty court.

This is tested by the seneschal, Peter Butler, knight, at Clonmel on the 10th day of December, 1508.

Dorso: George Comyn, sheriff of the liberty, makes return to the Earl's writ.

2) The list of the Archbishops, bishops, abbots, earls, etc., who owe suit at the Court is given. It is a fine roll of the land-holders under the Earl of Ormond; unfortunately many of the names are faint.

The latin text is as follows:

1) The writ.

"Thomas le Butteller comes Ormonie dominus libertatis Tiperarie vicecomiti eiusdem libertatis salutem. Summone per bonos summonitores archiepiscopos episcopos abbates priores comites barones milites et omnes libere tenentes libertatis nostre predicte de qualibet villa quatuor legales homines et prepositum de quolibet burgo xii burgenses per totam balliam tuam et omnes illos qui coram senescallo nostro libertatis predicte venire debent et solent quod sint coram senescallo nostro libertatis predicte apud Clonmell die lune proxime post festum sancte Brigide proxime futuro audituros et facturos preceptum nostrum. Fac eciam venire coram eodem senescallo nostro omnia placita corone libertatis predicte que placitata non sunt vel que emerserint postquam senescallus noster libertatis predicte ultro retornavit in partibus illis et omnia attachiamenta ad placita illa pertinencia et omnes assisas et omnia placita que posita sunt ad parvam assisam coram eodem senescallo nostro cum brevibus assisarum illarum et placitorum ita quod assise ille et placita illa pro defectu termini vel summonicionis tunc non remaneant capienda. Fac eciam proclamari et scire per

totam balliam tuam quod omnes assise et omnia placita que fuerunt attachiatta et non finita coram senescallo nostro libertatis predicte postquam in partibus illis retornavit quod tunc sint coram prefato senescallo nostro in eodem statu in quo remanserunt per preseptum nostri vel senescalli nostri. Summone eciam per bonos summonitores omnes illos qui vicecomites vel coronatores nostri fuerint post ultimam retornacionem senescalli nostri in partibus illis quod tunc illi qui per cartas regni Anglie vel alio modo libertates aliquas infra libertatem nostram predictam habere clamant quod tunc sint ibi coram prefato senescallo nostro ostensuri cuiusmodi libertates habere clamant et quo waranto. Fac eciam omnes illi (*sic* : recte ' venire omnes illos ') qui se conqueri voluerint de ballivis aut ministris nostris seu aliis quibuscunque de oppressionibus extortionibus gravaminibus debitis compotis contractibus seu transgressionibus quibusquisque placitis incendio raptu forstallo et thessauro inuento dumtaxat exceptis quod tunc sint ibi querelas suas presenturi si voluerint. Et habeas ibi omnes persones (*sic*) servientes subservientes libertatis nostre predicte ad faciendum et recipiendum quod eis ex parte nostra iniungetur. Et tu ipse tunc sis ibidem personaliter ad testificandum qualiter premissa fuerint exsecuta. Et habeas ibi nomina coronatorum servientium et subservientium archiepiscoporum episcoporum abbatum priorum comitum baronum militum libere tenentium prepositorum et hoc breve. Teste Petro le Butteller milite senescallo nostro libertatis predicte apud Clonmell x die desembris anno regni Regis Henrici septimi xxiiij."

December 10, 1508.

Dorso : Archiepiscopos episcopos abbates priores comites barones milites et omnes libere tenentes prepositos burgenses servientes et subservientes.

Nulla sunt placita corone incepta et non finita nec attachiamenta ad ea pertinencia.

Assise et placita capienda patent in brevibus nomina coronatorum :—Philippus Roch, Tomas Butteller. Proclamacio istius brevis facta est prout hoc breve requirit.

Vicecomes presens est in propria persona coram senescallo nostro ad diem et locum in hoc breve content' ad faciendum quod hoc breve requirit.

Sic ego Georgius Comyn vicecomes libertatis Tiperarie respondi.

2) The list attached to the writ :

Episcopi

Mauricius archiepiscopus de Cassell
Nicholaus [*faint*] episcopus Lismorensis et Waterfordie
Terrelagh episcopus Killalow per attornatum Thomam White
Thomas episcopus Imolacensis

Abbates

Abbas de Howney
,, Sancte Crucis per attornatum Willelmum Comyn
,, de Kilcowle
,, Sancti Thome
,, de Mothele
,, de Oseney
,, de Rupe Cassell
,, de Inyslonaght

Priores

Prior de Attasshell per attornatum Ricardum Stakpoll
,, sancti Johannis iuxta novam portam Dublinie
,, sancte Katerine de Waterford
,, sancti Johannis de Kylmaynan
,, de Chahir
,, de Insula Vivencium
Priorissa de Molagh

Comites

Comes Dessemonie per attornatum Ricardum White
,, Kildarie non comparuit quia in manu Domini Regis
,, Marscie non comparuit quia in manu Domini Regis

Barones

Baro de Kilchilan et de Kilfeikell
,, de Knokrafyn quia in manu Domini
,, de Kilteynan in manu Domini racione minoris etatis
,, de Cahir
,, de Baly(? kenan)
,, de Loughmegan et Baly Cormoke in manu domini racione premissa
,, de . . . . moheyn

Liberi Tenentes

Dominus de Ardmayle dominus respondet
,, ,, Tullaghmayne
,, ,, Boyton Rathe in manu domini racione premissa
,, ,, Ballytarsny
,, ,, Kilyhire . . .
,, ,, ...
,, ,, Mogarban dominus libertatis respondit quod in manu domini
,, ,, Stokedown
,, ,, Ger . . .
,, ,, Ballytowagh
,, ,, Ballytarsiny Edmundus Butler archiepiscopus
,, ,, Bally . . .
,, ,, Rath Glas per attornatum Galfridum Moclerk
,, ,, Rathe Drowneghan
,, ,, Rathe i gartyn
,, ,, Bordones Towne
,, ,, Loghbean (?) Owoghtir Wodlok Ricardus Flemyng
,, ,, Loghbean (?) Ieghtir
,, ,, (unreadable)
,, ,, ,,
,, ,, Bally Geralt
,, ,, Rath . . . gh
,, ,, Bally Wody
,, ,, Bally Noddagh
,, ,, Bally . . .
,, ,, Bally Heyne
,, ,, Owghtir Raa
,, ,, Teampall Noagh
,, ,, Knokcannorygh (?)
,, ,, Knokstaling
,, ,, Rathcowe
(Five names illegible)
Dominus de Cloghran
,, ,, Clonyn
,, ,, Kilron
,, ,, Bally Hoomok
,, ,, Rathe Keney
,, ,, Knockkelly

Heres de Ferren Ubrasky
,, ,, Bally Nebordone
,, ,, Bally Heynegh
,, ,, Bally Boght
,, ,, Sause venit per Philippum Sause attornatum
,, ,, Colmore Johannes
,, ,, Collennyre dictus Johannes
,, ,, Ballyscaddan
,, ,, Derry Lowstan
,, ,, Lismorihirtye
,, ,, Bally Mortialligh
,, ,, Kilbrydon
,, ,, Carrigyne
,, ,, Ballynard
,, ,, Tolocassan
,, ,, Rathbrytis
,, ,, Drongan in manu domini racione premissa
,, ,, Bally Vadyn
,, ,, Clonebrogan Johannes Bathe
,, ,, Bally Ffowky
,, ,, Gleantulygin dictus Johannes
,, ,, Garran
,, ,, Bally Hieghan
,, ,, Moeldrom
,, ,, Moclearre in manu domini racione predicta
,, ,, Kylconyll Wilhelmus Comen
,, ,, Bally Owles
,, ,, Cloghmonokoyd
,, ,, Ballynwolin Ricardus Bretine
,, ,, Ballywrenan in manu domini racione dicta
et Carrigyn Sheragh
Dominus de Lismalyn
Heres de Mohobbyr
,, ,, Rosneharlie dominus libertatis
,, ,, Ballyngarry
,, ,, Gort Rye per attornatum Oliverum Fanyng
,, ,, Shanecourte
,, ,, Hillan
,, ,, Brallagh Boy
,, ,, Ffearme Rory

Heres de Ballin Tagyrd Fanyng
,, ,, Lisnemroke
,, ,, Molossan
,, ,, Ballynlyone
,, ,, Cloynomyghcan
,, ,, Cloynesvorgh
,, ,, Ballynfoyn
,, ,, Gleangowell
,, ,, Killin
Dominus de Cowellqueyle
Heres de Ballykeryn
,, ,, Ballingree
,, ,, Teampoll Losky
,, ,, Ballin Kategan (? latigan)
,, ,, Moglasse
,, ,, Rowanmoly
,, ,, Moane
,, ,, Ballin Unyre (?)
,, ,, Cowell Leyogh
,, ,, Greallagh
Eliogirte
Dominus de Dromm^{c}loan (?)
Heres de Clonneswolin
,, ,, Kilhahagan
,, ,, Knok Aghour
,, ,, Rathless
,, ,, Ballyrorade.
,, ,, Ballierke
,, ,, Dowe
,, ,, Boliem^{c}haw
,, ,, Beledern (?)
,, ,, Moyen
,, ,, Moyn Arde
,, ,, Ballin Veytte
,, ,, Ballinwouchallogh
,, ,, Legh (?) Lomonn
,, ,, Lisduf
,, ,, Garran Riwh
,, ,, Ballinarchie (?)
,, ,, Rathellti

Heres de Hachuyd (?)
,, ,, Clograllie
,, ,, Ballinmrowgh (?)
,, ,, Graige Froghan
,, ,, Kylhaghiorgh
,, ,, Ballinrose
,, ,, Grage
,, ,, Garranbane
,, ,, Arty . . . seartayne
,, ,, Bretan
,, ,, Molharky
,, ,, Ballygealward
Dominus de Cabaragh
Heres de Corliron (?)
,, ,, Gallwolli
,, ,, Shanwaly Mok . . .
,, ,, Towtearmyd

Liberi tenentes de Oofaegh (Offa)

Dominus de Ballyboy
,, ,, Novo castro
,, ,, Moscrye
Heres de Garromouslyn (?)
,, ,, Ballyboge
Dominus de Rowske
Heres de Ballygrenan
,, ,, Dromloman
,, ,, Ballyflemastys (?)
,, ,, Towconihirt
,, ,, Balygorman
,, ,, Balyburges
,, ,, Teampell Geall
Dominus de Roykeyll
,, ,, Gracescastell
,, ,, Kildonoke
Heres de Balin Roche
,, ,, Keadiagh
,, ,, Caslan Coyen
,, ,, Ballin Mortian
,, ,, Bally m^{c}Cadum (?)

Heres de Loghlowhie
„ „ Ballynicole
„ „ Nova Ecclesia
„ „ Knoknaneany
„ „ Orchardestown
„ „ Ballycoyne
„ „ Ballingarran
„ „ Chamislenestown (*sic*)
„ „ Ballyjames
„ „ Lawlestowne
„ „ Rathronan
„ „ Meilerstown
„ „ Ballynpower
„ „ Bally m^c^Remon
„ „ Lisbruyn Bealem^c^ghyniere
„ „ Keylnyhernagh
„ „ Knokcaslan . . .
„ „ Lysnytybored
Dominus de Ballyknokhane
Heres de Ballymaygo
Dominus de Killcashe
Heres de Kilnoreshe
Dominus de Ballygynegan
Heres de Mohirnedoweagh
Dominus de Rogerestown
(Three names illegible).

338.

Two Deeds.

1) Leticia Dongane, daughter and heiress of Thomas Dongane of Ross, gives and grants to Nicholas Birton of the said town, one messuage and one garden in Ross, to have and to hold to him and his heirs for ever.

Given at Ross on the 20th day of December in the 24th year of Henry VII.

December 20, 1508.

2) Appointment of James Bryngane, chaplain, as attorney to place the above in seisin.

December 23, 1508.

339.

Indenture (in English) made at Kilkenny on the 12th day of January in the year 1508, between Sir Pers (Piers) Butteler, knight, and Downyll O'Wologhan, carpenter, witnesses that Sir Piers has granted and to farm given for his heirs and assigns unto Downyll during his life the three stone mills of the aforesaid town, with their meadows, "inchis," and appurtenances, that is to say in length from William Archer's ground unto the common "corell" (quarry) and in breadth from the King's way in the west to the Nore on the east; also the mill of Donmore with the great "inche" and appurtenances, which "inch" is in length from Merransground and so to the common way and Pollbolloke; also the old mill of Callan within the same town. Further Sir Piers and his heirs shall bring and carry all millstones, iron and brass and all other necessaries at their own cost unto the aforesaid mills and so at all times and as oft as shall be required during Downyll's life. Also Downyll shall "gate and make all myllstones in the montayne and tember in the wode at his costs at all tymes excepte mette and drink ouer the said Sir Pers his airs and asigns ande so durant the foresaide Downyll's life." Also the said Downyll and his servants shall do all manner of works freely unto the aforesaid Sir Piers and anywhere as is desired except for meat and drink. Also the said Downyll shall have the third part of all manner of corn that shall be ground within the aforesaid mills at all times during his life; also that it be lawful and free unto Sir Piers to have at all times unto his horses and hackneys (*hakensis*) free pasture in the meadows above-written, with all blood-shedding according, and so during Downyll's life.

January 12, 1509. Butler seal.

340.

Indenture made at Kilkenny on the 20th day of January in the year 1508 and in the 24th year of Henry VII between Peter Butiller, knight, and Margaret fitzGerald (*filiam Geraldi*) his wife on one part, and John Bryne and Alison Olivet his wife, on the other, witnesses that Peter and Margaret have given, granted and to farm let to John a garden commonly called 'le Burtowne Hey' in Kilkenny which in length lies from the common ditch of St. John's street on the north to the garden of John Savage, burgess

of the same town, on the south ; and in breadth between the pool of ' le Mawdleyne mille ' on the west to the King's way leading from St. Michael's gate to ' le Mawdleynstret ' on the east. To have and to hold to the said John Byrne and Alison and their heirs for a term of twenty-four years, paying yearly five shillings silver.

Witnesses : Edmund, bishop of Ferns, Walter Englysh, chaplain, Walter Courcy and others.

January 20, 1509. Seal.

341.

Three Deeds.

1) Peter le Butteller, knight, gives and grants to Thomas le Butteller of Knokraffen (Knockgraffon) all his lands and tenements in Donomagan in county Kilkenny, to have and to hold to him and his heirs for ever.

February 14, 1509.

2) Thomas le Butteller, baron of Knockgraffon, gives and grants to Peter le Butteller, knight, his manor of Knockgraffon with all its appurtenances, together with the advowson of the church there, to him and his heirs for ever.

Same date as above.

3) Thomas le Butteller, baron of Knockgraffon, appoints Thomas son of Edmund le Butteller his attorney for placing Peter le Butteller in seisin as above.

Same date.

ADDENDA.

342.

Unpublished records from the "Irish Privy Council Roll, 16 Richard II," of which the main part has been published by the Rev. James Graves in his *Council Roll of Ireland, 16 Richard II* (*R.S.* 1877).

This volume, which is in the Muniment Room, Kilkenny castle, if a large folio twenty inches by twelve inches, strongly bound in leather, into which Graves had skilfully inserted a number of documents then at Kilkenny, of which the most important was a "Roll of the Proceedings of the Privy Council of Ireland, held under James, Earl of Ormond, Lord Justice of Ireland."

Graves explains his treatment of the original records in the following note on the opening page :—

"I hereby certify, that the several parts of the ensuing document follow in the same sequence as in the rotular form, and the reason of my knowledge is that I took asunder the Roll, numbering each skin as separated from the remainder, and also each portion of a skin when it was necessary so to divide the same ; and that I have examined the several pages of this book and find that the binder has faithfully observed the order in which I delivered the parchments to him.

Witness my hand this 6th day of May, 1851.

James Graves."

In this published "Council Roll of 16 Richard II" Graves has printed the full text of the Norman-French proceedings of the Irish Council of that year, which is an almost unique survival of this kind of record in Ireland. The text in the original covers twenty-six folios of skins pasted in on both sides.

But Graves has also inserted a number of other miscellaneous documents of both an earlier and later date than the Council Roll, namely from the reign of Edward I to that of Elizabeth. These cover the remaining twenty-four folios, after which many pages are left blank.

The character of these documents is as follows, as described by Graves.

(1) A Return by the Court of Exchequer to an English writ

of " Certiorari " dated August 14, 38 Edward III, of the debts due to the Crown by James, Earl of Ormond, and his predecessors.

(2) Account of James le Botiller for the King's prise of wines from 22 Edward III to 40 Edward III.

(3) Pleas of the Crown held at Kilkenny before Nicholas Walsh, second justice of the Chief Place in Ireland, etc., July 25, 1596.

(4) Extent of Leix, before Walter Cowley, general superviser of the King's possessions in Ireland, December 10, 4 Edward VI.

(5) Copies of fines, etc., made before the seneschal of Agnes de Vesci, Lady of the Liberty of Kildare, 4 Edward I.

(6) Record of an appeal to the King's Court from the Court of the Liberty of Meath under a writ of error, Dublin, June 10, 18 Richard II.

(7) Injured copy of ancient grants of lands, apparently forming part of a Roll, 18 and 19 Edward III.

(8) An ancient paper copy of certain King's letters of Privy seal to the Earls of Ormond, etc. [Printed in full in Graves: " King's Council in Ireland," pp. 303-313. Some alternative readings however to the names of the Council are suggested below.]

(9) Fragment (paper) of an act of parliament repealing an act of Edward IV, enabling Edmund and Theobald Butler to inherit lands.

(10) An extent of the possessions of James, Earl of Ormond, which does not seem complete.

These unpublished portions of the volume, given below, have been transcribed or translated in full and are given in the order in which they are found in the book.

(1) Edward, etc., to the Treasurer and Barons of the Exchequer of Ireland: Order to examine the rolls and memoranda of the Exchequer in Ireland, to ascertain the debts owed by James, Earl of Ormond, and his ancestors to the Crown, and to certify the King in his Chancery of England.

Teste the King at Westminster, August 14, 38 Edward III.

James, Earl of Ormond, returns an account of mmccxxv*l.* xvij*s.* ii*d.*, being debts due from him and his ancestors, as is contained on the dorso of the first roll of this account. And of x*l.* for the escape of John Wauter and John Grifyn. felons as contained in the same.

l*s.* for the escape of John Oter, felon and fugitive, as contained on the dorso of the third roll of this account.

c*s.* for the escape of Richard Harold, felon and fugitive.
c*s.* ,, ,, ,, ,, Reginald Randuulf ,, ,, ,,
c*s.* ,, ,, ,, ,, William Barry ,, ,, ,,
c*s.* ,, ,, ,, ,, Thomas Corviser of Dundalk.
c*s.* ,, ,, ,, ,, John Ronosty, felon and fugitive.
c*s.* ,, ,, ,, ,, John Duff ,, ,, ,,
c*s.* ,, ,, ,, ,, John White ,, ,, ,,
c*s.* for unlawful detention, as contained in the account for the Liberty of Tipperary in this roll.

xliij*l.* for Theobald Pyncerna of xxij services of the army of Moyalle in the time of Walter de Bermyngham, Justiciar of Ireland, proclaimed in the 22nd year of the present king.

xlii*l.* for the same Theobald of xxij of the army of Wicklow in the time of Thomas de Rokeby, Justiciar, proclaimed in the 24th year of the present king.

xliiij*l.* for the same Theobald for xxij*s.* of the army of Newcastle McKynegan in the time of Thomas de Rokeby, proclaimed in the 29th year.

xliiij*l.* for the same Theobald for xxij services of the army of Carlow in the time of James le Botiller, Earl of Ormond, Justiciar, proclaimed in the 33rd year.

xxx*l.* xv*s.* for Matthew de Loundres, lately seneschal of Tipperary, being the arrears of his account for the said Liberty.

lv*s.* for Sir John fitz John, lately seneschal of the same, also arrears.

lxvj*s.* x*d.* for Sir Stephen Marreys, lately seneschal of the same, also arrears.

ccxl*l.* ii*d.* for John Laffan, lately seneschal of the same, also arrears.

xl*l.* xviij*s.* viij*d.* for Gilbert de Bermyngham, similarly.

l*l.* ij*s.* viij*d.* for Thomas le Botiller, similarly.

xxx*l.* for James le Botiller lately Earl of Ormond, his father, being arrears of the prise of wines of the said Earl in Ireland, as is contained in the account of the said Earl in this roll.

cxlv*l.*, being arrears of the said prise of James son and heir to the said late Earl.

Total mm*l.* dcccciiij^{xx} xv*li.*

The account of James le Botiller, lately Earl of Ormond, father of James, now Earl, for the issues of the King's prise of wines in Ireland from the feast of St. Hilary 8 Edward III, at which time the said Earl made fine with the King before the Barons of the Exchequer at Dublin for M marks to close the account of himself and his ancestors for the said prise, to February 16, 12 Edward III, on which day the said Earl died; viz. for four years four weeks and six days. Account rendered by James his son.

Dublin. The said James makes account for xxxii*l.* from the prise of xvi casks of wine remaining at Dublin for the said time, at xl*s.* a cask, as appears in an inquisition before Richard Hegrene, mayor of Dublin, and Nicholas Lumbard, assigned by commission of the King.

Waterford. xxiiij^{l} from the prise of xij casks of wine at Waterford at xl*s.* a cask, as appears in an inquisition before Richard Brysbone, mayor of Waterford, assigned by commission of the King.

Limerick. iiij*l.* from the prise of two casks of wine at Limerick at xl*s.* a cask.

Total xxx casks of wine.

Total lx*l.*, of which the merchants paid xxx*l.*, *i.e.* xx*s.* a cask, as the King's due and accustomed portion. And answer is made for the said xxx*l.* in the end of the account for the county of Dublin contained in this roll with the other debts of the said Earl.

Drogheda. James lately Earl of Ormond owes account for the said prise of wines at Drogheda on both sides of the river for the said time.

August, 1364.

(2) The account of James le Botiller son and heir of James, lately Earl of Ormond, for the King's prise of wines in Ireland from April 5, 22 Edward III [1348], on which day the said prise was delivered to the said present Earl, by virtue of a writ of the King to the Treasurer and Barons of the Exchequer in Dublin, as is contained in the memoranda roll of the Exchequer of the Hilary term 21 Edward III in the beginning of the 22nd year of Edward III, to the feast of St. Peter ad Vincula 40 Edward III; viz. for eighteen years and one quarter, three weeks and six days.

Waterford. lxxiij*l.* from the prise of xxxvi casks and one pipe of wine coming to Waterford during the said time, as appears in an inquisition before Richard Brysbone, mayor of Waterford, and Nicholas Lumbard, assigned by commission of the King delivered into the Exchequer and remaining with the remembrancer of the Exchequer.

Dublin. cxliij*l.* from the prise of lxxi casks and one pipe at Dublin, from the said March 5, 20 Edward III to Tuesday next after the feast of St. Margaret the Virgin, 40 Edward III, as appears from an inquisition before Richard Hegrene, mayor of Dublin, and Nicholas Lumbard, assigned, etc.

Drogheda. lxiiij*l.* from xxxij casks at Drogheda *ex parte Uriel* from March 5, 20 Edward III to Sunday next after the feast of St. James the Apostle 40 Edward III, as appears from an inquisition before Richard Mole, mayor of Drogheda *ex parte Uriel*, and Nicholas Lumbard, assigned, etc.

Limerick. x*l.* from v casks at Limerick for the time of the account of the said James.

Total xvij^{xx} v casks.

Total cciiij^{xx}x*l.*, of which the merchants paid cxlv*l.*, *i.e.*, xxs. a cask, as the King's due and accustomed portion. And account is made for the said cxlv*l.* in the end of the account for county Dublin, contained in this roll among the other debts of the said Earl.

Drogheda. The said James now Earl of Ormond makes account for the issues of the said prise of wines at Drogheda on the Meath side from the feast of St. Hilary 8 Edward III to February 16, 12 Ed. III, and from April 5, 20 Edward III. to Sunday next after the feast of St. James the Apostle 40 Edward III.

Mem. that on May 12, anno 40 Edward III, the said James le Botiller undertook at the Exchequer to have Thomas le Botiller, lately seneschal of the Liberty of Tipperary, before the Barons of the Exchequer in the quindene of St. John the Baptist, to close his account for the issues of the said Liberty; and in case he should fail to do so, to pay all the debts of the said Thomas to the crown, including arrears.

[1348—1366.]

(3) Pleas of the Crown held at Kilkenny in the county of Kilkenny before Nicholas Walshe of Clonmore, gentleman, second Justice of the Chief Place in Ireland, and Roger Wilbraham, gentleman, chief clerk of the Queen in her land of Ireland, Justices of assize, gaol delivery, and oyer and terminer, in county Kilkenny, on Thursday next before the feast of St. James the Apostle 38 Elizabeth. (In latin.)

Mem. that Fernandus *alias* Ffer McBrien, of Ballymartin in county Kilkenny, footman ; Redmund O'Rian of the same, horseman ; Fernandus O'Clery of the same, footman ; Patrick O'Doran of the same, footman ; John McTeig of the same, footman ; Barnabas O'Divlin of the same, footman ; Patrick beg Forstall of the same, footman ; James duff McWilliam of Bellaraged in the same county, husbandman ; William fitz Piers, Donill McWilliam, William O'Horan, Robert Wale, Mortagh Ferrell, James Browne, William Kee, Philip Bowdan, William McDonill, Patrick O'Molrian, Donatus O'Hecky, Donatus O'Conan, Donald O'Brenan, Donatus O'Hecky, William Loghe, Donatus O'Doran, Cornelius O'Cogan, Dermot Liegh Loghe, and Patrick Gawney, of the same, husbandmen, and Donatus McEvoy of Bellacleura in the same county, husbandman ; taken for that they were indicted by the Queen before Edward fitz Symon, gentleman, the Queen's serjeant-at-law in Ireland, and Richard Bellinge, gentleman, Justices of assize, gaol delivery and oyer and terminer in county Kilkenny, at Kilkenny in a general session held on Monday after the feast of the Epiphany, 32 Elizabeth, for that on the 8th day of May 31 Elizabeth they and every of them came with force and arms, viz. swords, knives and axes to the manor of Kilmenan in the said county, the heritage of James Shortall of Ballilorcan in the same county, gentleman, and cut down the wood of Kilmenan and took and carried away divers wood and fuel thence against the Queen's peace. Upon which the said Fernandus, etc., came in person and asked to hear the said indictment ; after the reading of which, they complained that they were grievously vexed by the said indictment and that unlawfully, for they said that the said indictment and the matters contained therein were not sufficient in law to oblige them to answer. Nevertheless they plead that the said vill of Kilmenan ' eteampell,' otherwise called Kilmenan eghtraghe, of which the said wood is parcel, which vill and wood,

long before the said trespass was supposed to have been done, was the free tenement of Edmund Butler, Viscount of Mountgarret ; and that at the time when the said trespass was supposed to have been done they entered the said wood peacefully and cut down and carried away divers wood and fuel as the servants of the aforesaid Edmund Butler and by his command, as was lawful for them ; which entry etc., and nothing else, constitutes the trespass specified in the said indictment ; which matter they are prepared to verify as this court may think fit, except for (the allegation) that they came with force and arms to the said vill of Kilmenan, or cut down a wood or carried away wood and fuel which were the hereditament of James Shortall, against the Queen's peace as is supposed in the indictment. And on this they put themselves on the verdict of the country (*ponunt se super patriam*). Upon which came Roger Wilbraham, gentleman, chief clerk of the Queen, prosecutor for the crown, and asked that inquiry should be made by jury (*per patriam*). A jury was therefore called and the sheriff of county Kilkenny was commanded that on Tuesday next after the feast of St. David in the 33rd year of Elizabeth he should cause to come to Kilkenny before the said Nicholas Walshe and Edward fitz Symon, Justices, twelve free and lawful men of his bailiwick of the neighbourhood of Kilmenan. On which day the said jurors came, viz. Oliver Seintleger of Tulleghanbroge, John Swetman of Castellnis (? Castellyf), Gerald fitz Gerald of Burnechurche, James Forstall of Kilferagh, Robert Seintleger of Ballifeunon, Gerald Astekyn of Cloghlea, James Galduf of Sraghe, Adam Lawles of Talbotts Inche, John Toben of Carleske, Adam Tywe of Malardeston, Robert Walsh of Crobally and Richard Walsh of Knockmelan, gentleman. Who say on oath that the said defendants are not guilty of the said transgression in the manner in which it is set forth in the indictment. This court therefore decides that they shall be quit.

Mem. (in English) that upon the trial of the said issue in the indictment of trespass written in this roll, it was alleged in the behalf of the honourable Thomas Earl of Ormond and Ossory that the said land of Kilmenan is the inheritance of the said Earl and that he has the seisin and possession thereof and that his father died seised; and lest the trial of the said indictment might hereafter be prejudicial to him or his heirs, the court at

the request of the said Earl's counsel caused this note to be entered, thereby to avoid any prejudice that might grow, the said Earl being not party to the same trial.

Copia vera scripta per me Patricium Seintleger clericum corone in comitatu Kilkennie.

July, 1596.

(4) Extent of Leix, before Walter Cowley, general supervisor of the King's possessions in Ireland December 10, 4 Edward VI.

December 10, 1550.

[For this " Extent of Leix " see the impending volume of this Calendar for the reign of Philip and Mary under 1550, in which a further portion of the survey also appears].

(5) Copies of fines, etc., made before the seneschal and officers of Agnes de Vesci, Lady of the Liberty of Kildare, 14 Edward I.

i Final concord in the court of Agnes de Vesci at Kildare, on All Souls' day 14 Edward III, before Robert de Fladdisbury then seneschal, Richard de Penkiston, then sheriff, John de Punchardun, then treasurer, and others, between David de Offington and Agnes his wife, plaintiffs, and James de Parys and Isabella his wife, concerning thirty acres of land in Balykenan and the third part of two parts of a watermill in the same vill and forty acres in Lethtyoke and ten shillings of the revenues in the said vills. The said James and Isabella release and quit-claim to the said James and Isabella all the aforesaid, for thirty marks.

ii Final concord (same day and place) between David de Offyngton and Agnes his wife, the plaintiffs, and James de Parys and Isabella his wife, concerning one messuage and forty acres and the third part of two parts of a watermill and eighteen shillings of the revenues in Balykenan, and the lordship of all the tenants in the said vill, and forty-nine and a half acres in Lethtyoke and the lordship of Robert de Yvilton and one carucate and part of a carucate of arable, and one penny revenue of the said Robert in the same vill; concerning which the charters and warrants were produced in court. The said James and Isabella recognize the foregoing as the right of the said David and Agnes, and confirm to David and Agnes and their heirs

the land held by them in gift from James and Isabella, paying therefor to David and Isabella one half penny of silver at Easter, and to the chief lords of the fee the accustomed rents and services.

Clause of warranty. David and Agnes to pay to James and Isabella forty pounds of silver.

iii Quit-claim by James de Parys and Isabella his wife to David de Offyngton and Agnes his wife of all right in the manors Balykenan and Lethtyoke. In witness whereof they have set their seal, these being witnesses. (No names follow).

Quit-claim by Gwerrina de Belecost to Agnes her daughter of all right in the lands and tenements which Agnes held of her gift in Balykenan and Lethtyoke, which land, etc., came to her by hereditary right from the lord Walter de Trywe, her brother.

iv Charter of confirmation from David de Offyngton, knight, to Agnes de Belecost, of all lands and tenements which he had by enfeoffment of Walter de Fulburne, dean of the cathedral of Waterford, in Lethtyoke and Balykenan which land the said Agnes formerly held of Gwerrina her mother and all the land which lord Hugo Trywe gave as marriage portion to his daughter, and the lands which the said master Walter first sold to Stephen, bishop of Waterford, and which the bishop afterwards sold to Agnes de Belecost ; to hold from him and his heirs for one penny every Easter, giving to the chief lord of the fee the accustomed dues and services. (Clause of warranty.) In witness of the gift he has set his seal. Witnesses : Sir Madoc de Eyton, Robert de Paradys, John fitz Adam, Maurice de Tillauth, Robert de Yevelton, William fitz Walter, etc.

v Dorso. Walter de Fulburne, dean of Waterford, grants to David Offyngton all the land which once belonged to the lord Walter de Trywe in Lethtyoke and Balykenan in Leix, and all the land which lord Hugo de Trywe gave in marriage portion . . . (Entry incomplete).

November 2, 1340.

(6) Record of an appeal to the King's Court from the Court of the Liberty of Meath under a writ of error. (Dublin, June 10, 18 Richard II).

Record of plea before William de Wyndsore at Kilkenny: in Chancery, 31 Edward III.

(In latin.) The King sent his letters close to the Justices of his Bench, as follows:

Richard, etc. Whereas in the record, process and judgment of an assize of Novel Disseisin before James, Earl of Ormond, lately Justiciar, at Trim, between William son of Peter le Botiller and Roger de Mortimer, Earl of March and Ulster, John Loterell of Dunboyne the elder, and Thomas Comdyn, concerning tenements in Dunboyng and in Moyemet, a manifest error is found, We therefore command you that having inspected the said judgment, record and process you correct any error to be found therein and do full justice in this matter according to the law and custom of our land of Ireland. *Teste* Roger de Mortimer, Earl of March and Ulster, Lieutenant, at Dublin, June 10, 18 Richard II. (June 10, 1395.)

The tenour of the above-mentioned record etc., is as follows:

'A plea of jury and assize at Trim before James le Boteler Earl of Ormond, Justiciar, Tuesday next before the feast of St. Brigid 18 Richard II (February 2, 1395.) The assize came to decide whether Roger de Mortimer, John Loterell and Thomas Comdyn disseised William son of Peter le Botiller of his free tenement in Dunboyne and Moyemet, of which disseisin the said William complained. The said John, and Thomas by Nicholas Wycombe his bailiff, came and denied it and placed themselves upon the assize. The Earl appeared by Nicholas his bailiff and said that the manor of Dunboyne extends into diverse vills, viz. Clony, Pereston and Luskeston, each of which is a vill of itself, which does not appear in the writ; and he therefore seeks judgment concerning the writ; and if it be found by the assize that the said Clony, etc., are not vills of themselves but hamlets of the said manor of Dunboyne, he says that Edmund de Mortimer, late Earl of March and Ulster, father of the present Earl whose heir Roger is, was formerly seised of the aforesaid manors [Dunboyne and Moyemet] in demesne as of fee and that he died seised thereof; on whose death they came into the King's hands by reason of the minority of the heir and are still thus; and that he did no disseisin to the said William; and on this he puts himself on the assize. And Richard Plunket, counsel for the King, on behalf of the King and of the said Roger, said that the

aforesaid Edmund had royal franchise in the county of Meath, viz. cognizance of all pleas within the said Liberty pleadable before his seneschal on writ under the seal of the said Liberty, and had his ministers in the said liberty, viz. chancellor, treasurer, sheriff, escheator and others, and had among his liberties that of 'primer seisin' of all lands and tenements within the said liberty held directly of him and was accustomed to retain possession thereof until the heirs obtained restitution in due form from his chancery, as the King himself does. And he said that Philip Overy, chaplain, died seised of the said manors which he held directly (*immediate*) from the said Earl, who therefore duly exercised the right of primer seisin. The said manors passed into the King's hands on the death of the said Earl and yet remain so. He therefore asks that the assize be not taken without consulting the King. And Thomas Clifford, the King's escheator for Ireland, then present in court, testified that the said manors are in the King's hands for the said causes. William, the complainant, said that Clony, etc., are hamlets of the manor of Dunboyne and not vills of themselves, and that he was in good and peaceful seisin of the said manors, until the said Roger and Thomas unjustly disseised him, and he therefore asks for an assize. The sheriff was therefore commanded to have here before the said Justiciar, etc., on Tuesday next after the feast of St. Agatha [February 9, 1395] the bodies, etc., and beyond them as many, etc., as will make an assize. And the same day was given to William and Roger now Earl and to John and Thomas by the said their bailiffs. And it was said to William the plaintiff that in the meanwhile he might address himself to the King if he wished. On which day William came here before the said Justiciar, and so did Earl Roger, John and Thomas by their bailiff, and a jury of an assize of the parties similarly. The King sent his writ commanding the Justice to take the said assize, as follows.

'Richard, etc., to his Justiciar of Ireland. Whereas we understand from the complaint of William son of Peter le Boteler that, in an assize of Novel Disseisin which the said William demanded before you by our writ against Roger de Mortimer, John Lotterell and Thomas Comdyn concerning tenements in Dunboyne, alleged to be in our hands by reason of the death of Edmund, late Earl of March, and the minority of the said Roger

his son and heir, you delayed and still delay to take the said assize, to the damage of the said William, We therefore command you to proceed to the said assize, notwithstanding the alleged taking of the tenement aforesaid into our hand ; provided that no judgment be given without consulting us.

Teste James, Earl of Ormond, Justiciar, at Dublin, February 4, 18 Richard II.'

'The assize therefore came and said on oath that Clony, Pereston and Luskeston are hamlets of the said manor of Dunboyne, and that Peter le Botiller, father to the said William, the complainant, who is his heir, was formerly seised of the said manors in demesne, which he granted to Thomas le Boteller his son and Philip Overey, chaplain, and their heirs male, paying yearly to the said Peter two hundred marks at Michaelmas and Easter in equal parts, and making to the chief lords of the fee the accustomed dues and services. And if the said Thomas should die without heir male, then after the death of the said Thomas and Philip the said manors should pass to Nicholas le Botiller, brother of the said Thomas. And if he should die likewise, to Richard le Botiller his brother. And if he should die likewise, to William his brother, the present complainant. And if he should die likewise, to other persons named in the charter, which is here produced in evidence before the court by the said William and whose tenour is as follows.

'Know all men that I, Peter le Botiller, have given and granted and by this charter confirmed to Thomas le Botiller my son, and Philip Overy, chaplain, the manors of Dunboyne and Moyemet with the homages and services of all the free tenants, to have and to hold to them and their heirs male lawfully begotten of me and my heirs, paying yearly therefor two hundred marks in equal portions at Michaelmas and Easter, and making to the chief lords of the fee the accustomed dues and services. And if the said Thomas should die without heir male, then after the death of the said Thomas and Philip they shall remain to Nicholas le Botiller brother of the said Thomas. And if he should die likewise, then to Richard le Botiller, his brother. And if he should die likewise, then to William le Botiller, his brother. And if he should die likewise, then to Edmund le Botiller his brother. And if he should die likewise, they shall remain to

me and my heirs to have and to hold of the chief lords of the fee for the services due and accustomed. In witness whereof I have set my seal.

Given on Friday next after the feast of St. James the Apostle, 44 Edward III.'

'And they said also that the said Thomas le Botiller and Philip by pretext of the said gift were seised thereof until the said Thomas died without heir male, after whose death the said Philip remained in possession until one Roger Hakenshawe, then Escheator of Ireland, by colour of his office, without warrant or any inquisition before him, took the said manors into the hands of the said King Edward. Upon which the said Philip prosecuted in a common parliament held at Kilkenny for the restitution of the same. Restitution was then made upon inquisition according to the tenour of the aforesaid charter. And the said Philip continued in possession of the said manors for the term of his life. And the said Thomas, Nicholas and Richard le Botiller died without heirs male, and afterwards the said Philip died seised; after whose death the said William, the present complainant, was seised of the said manors according to the tenour of the said charter, until one Walter Veldon, then Treasurer of Edmund de Mortimer, lately Earl of March and Ulster, for his Liberty of Meath, on suggestion from certain persons, viz. that the said Philip Overy had died holding the said manors in fee simple, made a warrant to the said John Lotterell and Thomas Comdyn, then serjeants, to take the said manors into the hands of the said Earl as an escheat, which they accordingly did, and evicted the said Walter. And he says that the said late Earl by his ministers took forty shillings issues of certain glebe lands within the said manors; and afterwards, because it seemed to the council of the said Earl that the seisin of the said manors was not sufficient in the manner in which it had been taken, they commanded that John Bermyngeham, then escheator for the Liberty of Meath, should take an inquisition, on the foregoing; which he accordingly did, and found that the said Philip died without heir, seised in demesne as of fee holding directly from the said Earl; by pretext of which inquisition one Geoffrey Rede, at the bidding of the said escheator, again took the said manors into the hand of the said Earl, who took

the issues thereof during the whole of his life from the time of the ejection of the said William, and died seised thereof: after whose death they passed into the King's hands by reason of the minority of the heir. Being asked whether the said Edmund Earl of March and Ulster had always had such a right of 'primer seisin' over his free tenants they said that the Earl neither claimed nor exercised any such right before the day that he came into Ireland, but that after his coming he had such a right within his said Liberty. Being asked whether said Philip died and said William made entry before the coming of the Earl, they said this was so, and that William was in seisin of the said manors until John Lotterell and Thomas Comdyn ejected him. Being asked whether the said Roger was present at the ejection, they said he was not. Being asked whether the entry by the said John and Thomas was by force and arms, they said that it was not. Being asked of the damages, they said that they amounted to two hundreds pounds; and because the court was not ready to give judgment a day was appointed one month from Easter for the parties to appear before the Justiciar. On which day the said William by William Bernard his attorney came before the Justiciar at Cloneyn, and the said Earl Roger, John and Thomas did not come but made default, wherefore the said William asked for judgment by reason of the said default. Wherefore the King sent his writ to the Justiciar as follows:

'Richard, etc., William son of Peter le Botiller has shown to us by his petition that whereas he lately sought for an assize of Novel Disseisin before you against Roger de Mortimer, John Lotterell and Thomas Comdyn concerning tenements in Dunboyne and Moyemet, and for that it has been alleged in the said assize before you that the said tenements are among the lands of Edmund, late Earl of March and Ulster, now in the King's hands by reason of the minority of the heir, you delayed to take the said assize, We therefore, at the suggestion of the said William that justice is being delayed to him, commanded you by our writ to proceed to the taking of the said assize, notwithstanding the said allegation or the taking of the said lands into our hand, provided that judgment be not given without consulting us. And though by virtue of the said writ you should have proceeded to take the said assize, nevertheless you delayed, and do still delay, to do so, to the damage of the said William; wherefore

the said William has sought remedy. We therefore command you to proceed to judgment according to the law and custom of our land of Ireland, the aforesaid writ, allegation, and seizure into our hands notwithstanding.

Teste James le Boteller, Earl of Ormond, Justiciar, at Kilkenny, on May 7, 18 Richard II.'

'It was therefore decided that the said William should regain seisin of the said manors and of the aforesaid damages. And that the said John Lotterell and Thomas Comdyn be in mercy for the disseisin, and the said William son of Peter le Botiller for his false claim against Earl Roger. And that the King's hand be removed from the said manors. (Marginal note: *Error.*) And on this the said Earl Roger by Robert Lotterell his attorney came before the King here at this day and said that divers mistakes had been made in the said record and process, viz. that whereas the said Earl Edmund and his predecessors had in the Liberty of Meath royal liberty and jurisdiction and the cognizance of all suits as well of Novel Disseisin as others arising within the said Liberty, and had his seneschal, chancellor and chancery, treasurer and treasury, sheriff, escheator, coroner, serjeants and under-serjeants and other ministers within the said Liberty, and had among their franchises this, viz. that whenever any lands, tenements, rents or services had been taken into their hands by their escheator, seneschal or treasurer by way of escheat, suit must be made to the Earl in form of law in his chancery of the said Liberty for restitution thereof. The manors in question lie within the said Liberty and it has been proved that the serjeants John and Thomas seized them at the command of the treasurer of the Liberty; and it has been found by inquisition before John de Bermyngham, escheator, that Philip Overy died without heir seised of them in demesne as of fee, and that he held them directly of the earl; wherefore they were again taken into the hand of the Earl, who died seised thereof; after whose death they came into the King's hands. Whence it plainly appears that the said William should have sued for restitution from the King in the form aforesaid, and there is error in the record and process in that the Justiciar permitted the said William to make suit for the said manors by assize. He says that there is a further error in that, whereas the Earl

and his predecessors had within their said Liberty the cognizance of all pleas as well of assize as others arising therein, and a seneschal before whom all such pleas should be tried, which rights passed to the King on the death of Earl Edmund; and whereas the said manors lie within the said Liberty, the said William sought for an assize before the Justiciar and not before the seneschal or other ministers of the said Liberty as he ought to have done. And there is error in this that the said Earl was acquitted and the said John and Thomas were adjudged the disseisors in the said assize, although they made the seizure at the command of Walter Veldon, the treasurer of the Liberty, to whom they were bound to be intendent, so that their action does not constitute a disseisin, especially because it was afterwards found by inquisition before John de Bermyngham that the said manors were lawfully seised into the Earl's hand by way of escheat. Wherefore the said Earl's name ought to be removed out of the said record and process, for that he can in no wise be accounted the disseisor, and for that the said William ought to have sought restitution from the King as guardian of the said lands. He says that there is a further error in that in the said assize the said Earl, by Nicholas Wycombe, his bailiff, alleged that the said manor of Dunboyne extends into several vills, viz. Clony, Pereston and Luskeston, each of which is a vill of itself, and if it should be found by the assize that they were hamlets of the manor of Dunboyne he further alleged that the late Earl died seized of them in demesne as of fee, after which they passed into the King's hand, and that he did no disseisin to the said William. And Sir Thomas de Clifford, the King's Escheator for Ireland, said on examination that the said manors were seized into the King's hand for the said causes. And notwithstanding these testimonies the said William replied that Clony, Pereston and Luskeston are hamlets of Dunboyne, and that he was in good and peaceful seisin thereof until he was disseised by the said John and Thomas, and therefore put himself on assize. Upon which the assize was called, and the said Justiciar deferred judgment until he had further orders from the King, and afterwards the King sent his writ commanding him to take the said assize, and so the Justiciar took the assize on the reply of the said William; after which the Escheator testified that the said manors were in the King's hands for the

aforesaid cause, which reply was not amutable by law : wherefore there is error in the said record. And he says that there is a further error, viz. that when the said Richard Plunket, counsel for the King, said that Edmund, late Earl, had the said right of ' primer seisin ' in his said Liberty, wherefore the tenements in question were lawfully seized into his hand on the death of the said Philip Overy, and after the Earl's death they passed into the King's hands ; he asked that the said assize should not be taken without consulting the King. And the said escheator testified that the said manors were in the King's hands for the aforementioned reason. And afterwards the Justiciar asked the said jury of assize whether Edmund, late Earl, had such a right of primer seisin at all times over his free tenants in his Liberty of Meath, and they replied that he had not until after his coming into Ireland. And whereas this was not a subject open to question, and whereas the said Richard Plunket declared that he was in no wise bound to make declaration regarding it, and that it could not lawfully be inquired by assize concerning it, and whereas the said Justiciar gave judgment upon the aforesaid, error has been made. He says that there is a further error in that whereas the King sent his writ to the Justiciar, ordering him to proceed to the taking of the said assize notwithstanding the said certification and allegation made by the said escheator provided that he proceed not to judgment without consulting the King. And afterwards he sent another writ ordering the Justiciar to proceed to judgment. In which writs there was no mention of " the manors of Dunboyne and Moyemet " after the form of William's complaint in the said assize. Wherefore the Justiciar proceeded to judgment without sufficient warrant ; and therefore error has been made. Wherefore the said Earl by his attorney asks that the said errors be corrected and that the said William be commanded to come before the said Justiciar wheresoever he be, if he knows any reason why the said record and process should not be annulled on account of the said errors. The sheriff of Meath was therefore commanded as follows : 'Richard, etc.' (No text follows).

The same day was given to the said Earl by his attorney, etc., on which day, viz. fifteen days from Michaelmas, the said Earl came before the King at Dublin by his said attorney, and the said William by Nicholas Wycombe his attorney on a similar

summons from the sheriff, and the sheriff returned the writ sent to him as follows.

'I have informed William that he must be before the King on the day named in this writ to hear the errors in the record and process of which mention is made and to do as this writ requires, by Barnabas Wythyngton, Richard Dillon, Walter Russell and David Goldsmyth.'

'Whereupon the Earl by his attorney asked that the said errors should be corrected and justice done to him. And William by his attorney asked a hearing of the said record and process and the errors alleged to be contained therein. And when they had been read he said that there was no error in them and asked that they should be confirmed. The said Earl by his attorney asked that the record should be annulled since William had no further answer. Whereupon the court inspected the record, and diligently examined, heard and understood the errors alleged by the said Earl, from which it appeared plainly that the said Earl was acquitted of the disseisin and that the said John and Thomas had been adjudged the disseisors, but that disseisin could in no wise be adjudged for the said William, in the first place because the said late Earl had such franchise as is above described, and because the said John and Thomas made the seizure at the command of the said Thomas Veldon ; and therefore the writ of assize ought to be quashed, because it cannot be held for a disseisin in law, and because after the said John and Thomas seized the said lands, they were again seized on inquisition before John de Bermyngham, and because the said present Earl says that the said late Earl and his predecessors had such a royal Liberty as is above described. To which William made no answer. And it was further proved by the said record that the said William ought to have sued for restitution from the King as guardian of the said lands, and not have proceeded by assize as he did. And also despite the said escheator's testimony that the said lands were in the King's hands for the said causes, the said William replied that Clony, Pereston and Luskeston were hamlets of the manor of Dunboyne, which reply was inadmissible after the aforesaid certifications until the Justiciar had further orders from the King. And further the said Justiciar, after he had received the King's command to take the said assize notwithstanding the said allegation, took the said assize, as well

upon the said pleas and allegation before the said testification was made by the said escheator, as after the aforesaid testification was made, and not upon any plea made after receipt of the said mandate upon the replication of the said William. And further whereas the Justiciar made enquiry whether the said late Earl had such right of primer seisin, a matter concerning which inquiry could not lawfully be made, and though the said Richard Plunket declared that he was not bound to make any declaration upon the point, particularly as the said William did not state in his plea that the said late Earl had any such right of primer seisin. It therefore seems to the court that in the said record and process divers errors have been made and therefore it is decided that the said record, process and judgment shall be annulled, and that the said present Earl be restored to the status he had in the said manors before the giving of the said erroneous judgment against him and that he regain the two hundred marks damages. And because it stands of record in this court that the said manors are in the hands of the King by reason of minority, it is further considered that they be again taken into his hands, and that the said William make satisfaction to the King for the revenues thereof from the time of the said erroneous judgment. And upon this the King sent his writ to Peter Rowe, Chief Justice of the King's Bench, as follows.

'Richard, etc., whereas Edmund, late Earl of March and Ulster, was formerly seised in demesne as of fee of the manors of Dunboyne and Moyemet, of which he died seised, after whose death they passed into our hand, by reason of minority, and remained so until William son of Peter le Botiller obtained an assize of Novel Disseisin before James, Earl of Ormond, our Justiciar, against the said Roger, now Earl, being then a minor, so that the said William regained seisin of the said manors which were restored to him; and by writ of error in our said Bench the said Roger sued to have the errors in the said record and process corrected, and because divers errors were found therein the said record, process and judgment were annulled in our said bench and it was decreed that the said Roger be restored to his former state in the said manors and that answer should be made to us for the revenues thereof. And now the said Roger has petitioned us that the said manors should be delivered to him as being part of his inheritance. And because by inspection

of the rolls of our Chancery of Ireland of June 18, in the 16th year of our reign, it appears that we granted the said Roger delivery of all the castles, lordships, manors, lands, tenements, revenues and services in our said land which were of the inheritance of the said Roger and which were in the King's hand, from the feast of St. John the Baptist, with all liberties, franchises, etc—and whereas we sent our writ from England to our Chancellor of Ireland ordering him to restore the said Roger to all his castles, etc., and furthermore on September 8 following we commanded John Aldelem, our Escheator, to restore the said Roger to all the above and give him full seisin thereof—we therefore command you to do whatever is lawful and right according to the law and custom of Ireland in the foregoing.

Teste Roger de Mortimer Earl of March and Ulster, our Lieutenant, in Ireland, at Dublin December 4, 19 Richard II.'

' It was therefore ordained that the King's hand be removed from the manors of Dunboyne and Moyemet and that the said manors be handed over to the said Earl. And upon this the Escheator was commanded in the above form.

(In French.) ' To you Lord Lieutenant and council of our lord the King in Ireland, showeth Philip Overy, chaplain, that whereas one Peter le Botiller was formerly seised of the manors of Dunboyne and Moyemet in demesne as of fee holding of Edmund de Mortimer, which manors the said Piers gave to the said Philip and to one Thomas le Botiller son of the said Piers and his heirs male and with remainder in default of issue, the said Piers died long after the enfeoffment and then the said Thomas died without heir, wherefore the King sent to the Exchequer his writ of ' diem clausit extremum ' upon which the said Philip came to the Chancellor and demanded delivery of the lands but could not get it ; wherefore he prays remedy.'

' Let this petition be sent to the Chancellor and the inquests and charters herein mentioned be viewed, and the King's council and others be called and the reasons heard for both parties and justice done therein.'

(In latin.) ' Edward, etc.,, to Roger Hakenshawe, Escheator. Writ of ' diem clausit extremum ' ordering the seizure of the lands of Peter le Botiller held in chief into the King's hand, and

ordering an inquisition into such lands and to find who is the next heir and whether he is married.

Teste William de Windsor, Lieutenant, at Ardee August 8, 44 Edward III.'

'Inquisition taken at Dunboyne before Roger Hakenshawe on Thursday after the feast of All Saints 44 Edward III [November 7, 1370], by John Petyt, Geoffrey Gerard, Richard Gerard, Walter Forest, John Foyll, Stephen Stokes, Adam Normaund, William Foyll, Henry Normaund, William Kenagh and John Walshe; who say on oath that the said Peter on the day he died did not hold any lands or tenements of the King in chief whose guardianship ought to belong to the King; but they say that the said Peter was formerly seised in demesne as of fee of the manors of Dunboyne and Moyemet which he held of Edmund de Mortimer, Earl of March and Ulster, for twenty shillings; which manors are worth fifteen pounds per annum. And they say that before he died the said Peter by his charter enfeoffed Thomas his son and Philip Overy of the said manors for two hundred marks yearly payable in equal portions at Easter and Michaelmas, with remainder, in case Thomas should die without heir male, to Nicholas his brother, and if he should die likewise, then to Richard his brother, and if he should die likewise, then to the said Peter and his heirs male. And they say that the said Thomas by virtue of the said enfeoffment was peacefully seised of the said manors in the lifetime of the said Peter and continued so until Roger Hakenshawe took them into the King's hand on the death of the said Peter. They say further that on the day he died the said Peter was seised in demesne as of fee of the manor of Holywode which he held from the Archbishop of Dublin for twenty pence per annum, which manor is worth nothing because it is wasted and lying fallow. And they say that he was also seised of the hamlets of Rathsallagh, Neywton, Iudustoun, Greffyneston and Hollayestoun which he held from the said Archbishop for ten pounds per annum which is their entire value because they are wasted and . . . And further he held the vill of Cabagh (? Cabragh) from James le Botiller, Earl of Ormond, for one pound of pepper per annum and it is worth nothing. And they say that jointly with Katherine his wife, who is still living, he was enfeoffed

for her life by Roger Whyte, chaplain, of the manor of Drongan and the vill (*villata*) of Grellagh which he held of John de Bermyngham, lord of Kiltevenan, for forty shillings, which is their total value. And the said manor and vill were given by him to Nicholas le Botiller and his heirs male to pass to them on the death of the said Peter and Katherine. And that the said Peter was seised jointly with the said Katherine of the vill of Skeewill held of Thomas Asley lord of Fed (? mer), for half a mark per annum, which is worth only ten shillings per annum more than this. And they say that the above vills held from the said Roger should belong on the death of the said Roger and Katherine to Thomas le Botiller and his heirs. And they say that the said Peter died at Fythard on Monday after the feast of St. Peter ad Vincula, 44 Edward III [August 5, 1370]. And that William le Botiller son of the said Peter is the nearest heir and is nine years of age and unmarried. And on the day the said Peter died, the said Philip Overy was yet alive and the said Thomas was dead. In witness whereof the jurors have set their seals. Given on the said day and place.'

'Know all men, etc., that I, Peter le Botiller, have granted and by this charter do confirm to Thomas le Botiller my son and Philip Overy, chaplain, the manors of Dunboyne and Moyemet, with remainder in case of default of heirs to Nicholas and Richard le Botiller in turn and with reversion to myself and my heirs. In witness whereof I have set my seal on Friday after the feast of St. James the Apostle, 44 Edward III.' [July 26, 1370].'

'Pleas at Kilkenny before the King in his Chancery of Ireland on Tuesday after the Epiphany in the 44th year of Edward III.

Philip Overy, chaplain, exhibited a certain petition before William de Windsor, Lieutenant, and others of the King's Council, as is contained in this roll. And the said Philip came into the Chancery and also Henry Michell who was counsel for the King, and Roger Hakenshawe, Escheator, before William de Skyppwyth, Chief Justice of the King's Bench, Robert Preston and John Keppok, Justices of the Common Bench, and others of the same, with the said inquisition contained in this roll. And the said Philip Overy said that the said Peter le Botiller was formerly seised of the manors of Dunboyne and Moyemet, which he gave out of his seisin by a certain charter to Thomas his son and heir

and to the said Philip for two hundred marks per annum payable in equal portions at Easter and Michaelmas, with remainder in default of heirs to Nicholas his brother and then in like case to Richard his brother, with reversion likewise to Peter, the grantor, and his heirs male. And he says that by virtue of the said gift he himself and the said Thomas were seised of the said manors until the death of the said Peter and afterwards until the death of the said Thomas. And afterwards the said Philip alone was seised thereof until they were seised into the King's hand, which has been found by the said inquisition taken before the said escheator; therefore he seeks restitution of the said manors and the issues thereof from the time of the death of the said Thomas. And the said Henry Michell said that the said Philip ought not to have restitution because the said Peter was seised in demesne as of fee of the said manors on the day of his death so that the said Thomas and Philip had no status in the said manors during the lifetime of the said Peter, as Philip had supposed by his petition and by his plea. And he said further that the said Thomas was under age at the time of the making of the said charter and also on the day the said Peter died, and if any such alienation was made to the said Thomas and Philip unknown to the King, it was done in deceit of the King and in conspiracy to exclude him from the custody of the said lands, because the said Peter held them of the Earl of March, then a minor and in the King's wardship. He therefore asked that enquiry be made on behalf of the King. And Philip said that he and Thomas, during the life of the said Peter and afterwards, were seised of the said manors and after the said charter the said Peter had no right therein. And he said that the said alienations were good and made in good faith and not in order to exclude the King, and he asked that this should be verified.

And because a jury could not be taken in the Chancery the sheriff of Trim was commanded to have before the Lieutenant here on Wednesday after the feast of St. Hilary twelve men of the neighbourhood to make the recognizance. The same day was given to the said Philip, Henry Michell the King's attorney, and Roger Hakenshawe. Upon which day they came before the said Lieutenant, and the said jury came. And Thomas de Thelwall, clerk of the rolls of Chancery, handed over the said records and processes to the said jury here in the court. And

upon this Sir William de Loundres, Sir John Husee, Simon de Cusak, Sir James de Lahuyde, Sir Walter de Cusak, Sir Nicholas de Castel Martyn, Sir Thomas de Verdon, Nicholas de Wythyngton, John Bermyngham, William Broun and Roger Blake, here present in court, said upon oath that the said Peter, by a certain charter which the said Philip produced in court, gave the said manors out of his seisin to the said Philip and Thomas, and that they were seised of them with the homage and services of all the free tenants except Thomas Brune, knight, and Francis Brune by the service of forty-seven shillings per annum, and also of certain tenements in Luskeston and Foyleston, so that the said Peter at the time of his death had no right therein, and that the said alienation was made in good faith and not to the disherison of the King. And they say that the said Philip after the death of Thomas was seised of the said manors until they were taken into the King's hand on the supposition that the said Peter died seised thereof. The jury was asked the age of Thomas le Botiller at the time of the said alienation, and said he was sixteen years of age. They said that the profits thereof from that time to the death of the said Thomas are nothing, that the said Thomas left no male heir, that the said Nicholas and Richard died leaving no male heir, that William le Botiller son to the said Peter is his nearest heir and that he is seven years of age, and they do not know who is his guardian. It was therefore decided that the King's hand should be removed from the said manors saving the services of Thomas and Francis Brune, and that the said manors with their revenues from the time of the death of the said Thomas should be handed over to the said Philip according to the form of the charter, saving always the rights of the King.'

June 10, 1395.

(7) Injured copy of ancient grants of lands, apparently forming part of a roll, 18 and 19 Edward III.

i Sciant presentes et futuri quod ego Robertus Oky dedi confirmavi et hac presenti carta confirmavi Willelmo filio Petri unam acram terri in Gortynywr in tenemento de Kylinkatyn sicut dimissa est et perambulata et protendit se in longitudine a via regali ex parte orientali qua via itur versus Kylkas et protendit se in longitudine usque

ad pratum domini de Kylsyllan in latitudine vero a via regale ex parte australi et protendit se in latitudine usque ad divissam dimedie acre domine Ysabelle Oke in parte aquilonali in eodem tenemento et tres acras et dimidiam in Cappagh Thome Oky in tenemento de Balymagan quarum longitudo protendit de Lochinilack in parte australi et protendit se usque ad viam regiam que vadit apud Kylkas in parte aquilonali de terra dicte Ysabelle Oky in . . . . usque ad Cappach magistri Hugonis in parte occidentali ; tenendas et habendas sibi et heredibus suis sive assignatis de me et heredibus meis sive assignatis libere et quiete bene et in pace integre et plenarie cum omnis libertatibus et liberis consuetudinibus predictis acris spectantibus. Reddendo inde annuatim pro Roberto Oky et heredibus suis domino feodi octo denarios argenti scilicet medietatem ad Pascham et aliam medietatem ad festum sancti Michaelis pro omni servicio exacione et demanda.
(Witnesses being Philip de Maydwell, Adam fitz Robert, Robert fitz William, William fitz Robert, Richard Fiche, and many others).

ii Know all men, etc., that I Adam Brun, have given and granted and by this present charter confirmed to Philip . . . . two acres in Balmadian in the " capacht " of Walter Albus, to hold of me and my heirs for the service of one rose at the feast of St. John the Baptist.

iii The beginning of this deed is fragmentary. The grantee is Philip de Maydwell, and the rent one penny at Michaelmas. The name of the grantor and of the subject of the grant have perished. Witnesses are William Monchell, Henry Porter, Robert Porter, Richard Tryw, Adam . . ., Henry Forester, Nicholas Legros, Richard Fichit, William fitz Peter, William fitz Nicholas, and many others.

iv Know all men, etc., that I, Adam, son of Philip Maydwell, have given and granted and by this present charter confirmed to Robert son of John Maydwell seven acres of arable land in Dyrryn beside Loch Balehegeyd, to have and to hold to him and his heirs and assigns, with all their appurtenances, doing to the chief lords of the fee the accustomed dues and services. Clause of warranty. Given at Kylsillan on Sunday after the feast of St. David, 18

Edward III [March 7, 1344]. Witnesses being John Tyrry, Thomas Tyrry, Richard Padrik, Richard Millayt and many others.

v Adam son of Philip de Maydwell grants to Thomas his brother one plot of land in the tenement of Kylsallan which lies between the cemetery of the said town and the water called "le Sowr"; in witness whereof he has had made these his letters patent.

Given at Kilsyllan on the feast of SS. Simon and Jude, 19 Edward III. [October 28, 1345].

[1344-1345.]

(8) Printed in full in Graves: *King's Council in Ireland*, pp. 303-313.

An ancient paper copy of certain King's letters of Privy seal to the Earls of Ormond, and copies of inspeximuses of letters patent from the Chancery Rolls embodying proceedings of a Great Council and of the King's Council, *tempus* Henry VI, being apparently a record kept by James, Earl of Ormond, then Lieutenant, for his own use. The letters patent are dated 22 Henry VI.

As the list of names printed by Graves does not seem altogether reliable, the following suggestions are made:—

	King's Council in Ireland.	*Suggested Reading.*
p. 306.	Sancti Petri de Athirde	Sancti Johannis
,, 307.	Baro de Novan, . . . Baro de ——.	Baro de Novan, Baro de Scryne
,, ,,	Johannes Bellew junior miles, ..., Ricardus Talbott.	Johannes Bellew junior miles, Cristoferus Howthe miles, Ricardus Cadell.
,, ,,	Holywode, . . . , Robertus . . . , Nicholaus Whyte	Holywode, . . . Delahyde, Robertus Baath, Nicholaus Whyte.
,, ,,	Scurlaghe, . . . , Johannes	Scurlaghe, ... Fynglas, Johannes.
,, ,,	Willelmus Preston, ... Preston	Willelmus Preston, Thomas Preston.
,, ,,	Chamberleyne	Nicholaus Chamberleyne.
,, ,,	Simon Lyntoune	Simon Kyntoun.
,, ,,	Johannes	Johannes Hadsore.

(9) Copy (paper) of an Act of Parliament repealing an Act of Edward IV enabling Edmund and Theobald Butler to inherit lands, etc.

"An act for making to be (legitimate) the sayd Edmond and Theobald and also enhabling the sayd Edmond and Theobald to enherit and enioy all manner landes possessions rentes and (tenements) as yf they were born wythin the espouselle solempnised, to be repelled adnulled revoked and utterly aduidged voyd and of none effect in lawe. And that the sayd Piers and every other which by course of the kynges common lawe ought to be right heyres and inherit as right heyres to the said James as yf the sayd acte made the sayd (7th year of the) sayd kyng Edward the IV had never be made be enhabled to have enherit and enioye all manners, landes, rentes and all other manner hereditamentes as rightfull heir to the sayd James by course of the kynges common lawes as though no suche acte of legittimacion of the sayd Edmond and Theobald had never byn made or ordeyned, the sayd acte made the sayd 7th yere or anny thing therin conteyned made to the contrary notwythstandyng. Providid always and be yt enacted by authoritie of the present parliament that thys acte of adnullacion and repele or annything or thinges therein conteyned shall not in anny wyse be hurtfull or preiudiciall to the kyng our soveraing Lorde nor to the most excellent princes Queen Anne hys most dere and entyerly beloved wyf nor to their heyres nor to the heiers of ether of them, nor to the right honorabill Thomas Erle of Wilteshire and of Ormond nor to the Dame Margaret Bullayn mother to the sayd Erle nor to Dame Anne Seyntleger nor to George Seyntleger knyght nor to the heiers of the sayd Erle of Wilteshire, Dame Margaret, Dame Anne, and George, nor to the heiers of enny of them of, for or concernyng enny honours, titles, stiles or names, dignities, armes or prehemynences for or concernyng enny honours Castells, manners, londes, tenements, rentes, advousons, patronages, possessions, or other hereditamentes what so ever they be, but that our sayd soverainge lorde the kyng and the sayd most excellent princes the Quene and theyre heiers and the heiers of every of them and the sayd Erle of Wilteshire and of Ormond and hys heyrs and all and every other parson and parsones aforenamed in this proviso and theyr heiers and the heiers of every of them shall have, hold, kepe, and enioy all such honours, names, titles, stiles, armes, prehemynences and all suche honours,

castells, manners, londes, tenementes, rentes, advousons, patronages, possessions, and all other hereditamentes what so ever they be which they or enny of them have, owght to have or may laufully pretend or clayme to have, or enny parsone or parsones to theyer uses or to the use of enny of them hath or ought to have, in lyke manner fourme and condicion as yf the sayd acte of repele and adnullacion had never byn had nor made, enny thyng or thynges conteyned in the sayd acte to the contrary thereof notwythstandyng. And also be yt provided and enacted by auctoritie aforseyd that this Acte of repele and adnullacion or any thyng or thynges therein conteyned shall not in enny wyse be hurtfull or preiudiciall to the Indentures tripertrite beryng date the 18th daye of Februarie in the 19th yere of our said soverayng lorde (1528 N.S.) made betwene our sayd soveraing lorde of the one partie and the seyd dame Anne Seintleger, wydowe, and dame Margaret Bullayn, wydowe, by the namyes of dame Anne Seyntleger, widowe, and dame Margaret Bullayn wydowe, dowghters and heiers of Thomas Butler knyght, late Erle of Ormond, and the sayd Erle of Wilteshire and of Ormond by the name of the right honorable Thomas vicount Rocheford, son and heier apparaunt to the sayd dame Margaret, and the sayd Sir George Seyntleger, knyght, son and heir apparaunt to the sayd dame Anne of the second partie, and the sayd Piers Erle of Osserie by the name of Sir Piers Butler, knyght, cosen and heier male to the sayd Thomas late Erle of Ormond, and James lorde Butler by the name of James Butler, esquier, son and heier apparaunt to the sayd Sir Piers, of the third partie. But that the sayd Indentuers and all and every clause, article, sentence, couvenaunt, agreement and eny other thyng and thynges wrytton mencioned expressed and conteyned in the same shall stonde and be in theyre ful strengthe and effect to all ententes and purposes accordyng to the termes and effectes of the same Indentures. And that the sayd Piers Erle of Osserie nor his heires shalnot in anny wyse clayme, chalenge or attempt to have enny honour, titull, name, dignitie, armes or preheminence nor anny Castells, honours, manners, landes, tenementes, or hereditamentes contrary to the tenor, contentes and effectes of the same Indentures, ennything or thinges conteyned in the said acte of repeale and adnullacion to the let or contrarie therof in anny wyse notwythstandyng."

Note :—The act here given is not to be found in the "Statutes

at Large of the Parliaments of Ireland " (1786), though obviously passed in one of Henry VIII's parliaments in Ireland from 1534-1543. As Anne Boleyn is named as Queen of England, the act must have been passed at some time between 1534 and 1536. Its object is to prevent Edmund and Theobald Butler, elder but illegitimate brothers of Sir Piers Butler, and their heirs from benefiting by an act of legitimation passed in the Irish Parliament of 1468 in their favour. Sir Piers Butler was created Earl of Ossory in February 1528 at the time of the agreement made between the King and the various heirs of Thomas Butler, Earl of Ormond.

For the full text of this repealing statute see an inspeximus of Henry VIII in October 1536 in the impending volume IV of this Calendar.

(10) Possessions of the Earl of Ormond.

Comes Ormonie tenet omnia terra et tenementa cum pertinenciis in feodo ut infra continetur.

James Butler formerly had under the name of Earl of Ormond ten pounds yearly from the fee farm of the city of Waterford by the hands of the bailiffs of Waterford as appears from letters patent dated at Stanford April 14, 6 Edward (III). *See* Calendar of Ormond Deeds, Vol. I, number 644.

Edmund Butler formerly held the manor of Carryk Macgryffyn and the castle and manor of Roskre, as appears from letters patent dated at Dublin April 6, 41 Edward (III).

James Butler, Earl of Ormond, formerly held the manor of Blackcastell in Meath of the chief lord of the fee by grant of Sir John Stanley as appears from a charter of July 6, 23 Richard II.

James Butler, Earl of Ormond, formerly held the manor of Oghterard and Castelwarnyng in Kildare, being in the King's hands by forfeiture, in fee simple for one rose every year at the feast of St. John the Baptist as appears from letters patent dated at Drogheda, February 16, 13 Henry IV. (*Rot. Pat. Canc. Hib. Cal.* p. 200, number 76.)

James Butler, Earl of Ormond, and Elizabeth his wife formerly held all Inchecoynge and the town of Yoghul by grant of Thomas

Veer, Earl of Oxford, October 18, 41 Edward III. James Butler, Earl of Ormond, and Elizabeth his wife formerly held 'Insula Malure' by grant and confirmation from William Ilger and Roger Ewyas dated Thursday next after the feast of St. Matthew (September 24), 34 Edward III.

Edmund Butler, Earl of Ormond and his heirs have the return of all writs in their cantreds of Oremon, Eliogerth, and Elyokerwell in Tipperary as appears from letters patent September 1, 9 Edward II.

343.

Reginald de Dundouenald quit-claims to John Lowys all his claim in a carucate which is called Rynnenynche in the tenement of Tomlach, of which carucate on a former occasion grantor impleaded said John before the itinerant justices in the assizes at Limerick by writ of Novel Disseisin.

Witnesses: Sir Elyas de Dundouenald, Simon Hereward, Adam fitz Adam, Nicholas Cradok.

[*Circa* 1280. See Deed 298, volume I of this Calendar, which is dated May 13, 1291.]

344.

Final concord made in the court of Gilbert de Clare, Earl of Gloucester and Hertford, at Kilkenny in the assizes there on Monday next after the feast of the Circumcision in the fourth year of King Edward before Sir Stephen de la More, then seneschal of Kilkenny, Sir Simon Dunnyng, then treasurer, Robert Deneys, sheriff of the same place, William Alisaundre and other lieges of the said Earl then present, between Eustace son of Benedict le Pouer, plaintiff, and Nicholas son of Thomas Maddok, defendant, concerning the manor of Crannagh, as to which a plea of convention was summoned between them in the same court, viz. that the said Eustace admitted the said manor to be the right of Nicholas which he has of the gift of Eustace. For this recognition Nicholas has granted to Eustace the said manor and restored it to him in the same court. To have and to hold to Eustace and the heirs male of his body lawfully begotten of the chief lord of the fee. If Eustace die without heir male so

begotten, then said manor to remain to Arnold son of Robert le Poer similarly. If Arnold die without heir male, then to remain to the right heirs of said Eustace. For this recognition Eustace gives Nicholas a sore sparrow-hawk.

January, 1311.

345.

Eymon fitz William grants to Walter le Marche three acres arable in le Boli 'in Hospitali' near Insnack behind a garden in 'le Cherchefeld' near 'le Bothir,' in heritage for ever.

Given at le Boli on Monday next after the feast of St. Matthias in the 15th year of King Edward.

Witnesses: William fitz John, bailiff, Gerald fitz William, John fitz William.

[? 1322. Which King Edward is meant is not stated. *See* Deed 598, volume I of this Calendar of Ormond Deeds.]

346.

"Edward by the grace of God, King of England, etc., to all, etc., greeting. We have inspected a charter of Robert Calf in our Chancery, in these words.

'Know that I, Robert Calf, have given, granted and confirmed by this present charter to John son of John de Gogan and the heirs male of his body all my manors of Corigrohynnmor, Dun, drinan, Raygogan, and the new town of Moinmorgogan in Wales with their appurtenances, and all lands and tenements in Bevor, Culmor, Duglas, Shandun, Ballacha, Riculo (?), and elsewhere in the cantreds of Muscridongan, Olethan, Kericurthy, Kenalbek and Muscrilyn, in lordship and demesne with all their appurtenances, advowsons of churches and homages and services of free tenants. To have and to hold to the said John and the heirs male of his body of me and my heirs, by the service of one red rose at the feast of the Nativity of St. John the Baptist, freely and quietly in fee and inheritance, doing for me and my heirs and the chief lords of the fee the services due and accustomed. And if the said John should die without heir male of his body I, the aforesaid Robert, will and grant by these presents for myself and my heirs that all the said manors, etc., with their appurten-

ances, etc., shall remain to Henry son of Sir John de Gogan and the heirs male of his body. To have and to hold to the said Henry and his heirs from me and my heirs by the aforesaid farm and doing to me and my heirs as chief lords of the said fees, the services due and accustomed. And if the said Henry die without heirs male of his body, I will and grant, etc., that the said manors, etc., shall remain to John son of Henry de Gogan and the heirs male of his body. And if John son of Henry de Gogan die without heirs male of his body, to William son of Henry de Gogan and the heirs male of his body, then to Geoffrey son of Eustace de Gogan of Hyckiston and the heirs male of his body. And if he die similarly, then to Richard de Gogan of Honspyll, etc. And if he die, etc., then to Eustace de Gogan of Magillyn, etc. And if he die similarly, then to John son of Richard de Gogan of Camynch, etc. And if he die similarly, then to the right heirs of the aforesaid John son of Sir John de Gogan the youngest for ever. In witness whereof I have set my seal.

Given at Cork on the 15th day of May in the 19th year of King Edward.

Witnesses: Sir John de Barry, Sir Maurice de Cashel, Maurice de Rupeforti, David de Rupe, William de Barry and Henry de Capella, knights, John de Prendigast, Henry Russell and Philip de Media.'

'Now We, at the request of the aforesaid Robert and John, son of Sir John de Gogan, have seen fit to exemplify the aforesaid charter, and for the good and praiseworthy service done and to be done in the future to us by the said John son of Sir John de Gogan, We have ratified, approved and confirmed by these presents all the aforesaid grants and concessions and all other things contained in the charter of the aforesaid Robert to the aforesaid John son of Sir John de Gogan, provided that the aforesaid John son of Sir John de Gogan and all the others aforesaid and their heirs shall hold the aforesaid lands and tenements contained in the aforesaid charter of us and our heirs by the services due and accustomed. Also by our special grace We have pardoned to the said John son of Sir John de Gogan and the said Robert Calf such transgression as may have been done in that they have alienated and acquired to themselves divers lands which are held of us in chief, viz. Bevear, Duglasy and

Culmor and elsewhere in county Cork without our licence. Not wishing that the said John son of Sir John de Gogan or the aforesaid Robert or their heirs should be vexed or molested in any way by reason of the aforesaid by us or our heirs, our justices, escheators, sheriffs, or other our bailiffs or ministers, whatsoever. In witness whereof we have had these our letters patent made in our presence at Northm' on the 12th day of June in the 19th year of the reign.' "

[June 12, 1326 *or* 1345].

Dorso : An entayle of lands in Com. Corke. J.N.

Note : This interesting deed relative to the Cogans or Gogans in county Cork seems to be a 15th century copy of an earlier deed. The King is obviously one of the first three Edwards and the title of King of France is not given. The Robert Calf of the deed would appear to have flourished in the later part of Edward II's or early part of Edward III's reign. For references to him and to the witnesses such as David de Rupe, John de Barry, etc., see *Rot. Pat. Canc. Hib. Cal.* (1810). On p. 646 (30 Edward III) there is a reference to John Calf who was then dead and to his widow Margery. On p. 71, *ibid* (32 Edward III), there is a reference to Thomas Calf, deceased, who held land in fee of the heir of John Calf, late baron of Norragh. ' Le Veel ' was an alternative name for this family. On p. 40, *ibid* (8 Edward III), the lands of Walter le Veel are mentioned which he held in the barony of Norragh of the King in chief and which were in the King's hands through the minority of John, son and heir of William le Veel (*consanguineus*) of the said Walter. On p. 40, *ibid*, we find Henry Cogan as a justice for Gaol delivery in Cork and John Cogan is also mentioned. For other Cogans of that period see Index. For the early history of this family see Orpen : *Ireland under the Normans*, I, pp. 39-50, and III, pp. 118-132 (where the above place-names are identified) and *passim* ; and for the Cogans and le Veels see volumes I and II of this Calendar of Ormond Deeds.

[Mr Eric St. J. Brooks sends me these valuable notes on the above deed.

" This interesting document is the first real evidence I have seen (apart from the fact that their ancestor was one Miles

Cogan) that the Cogans of Huntspill, Somerset, were of the same family as the Irish and Welsh Cogans.

The difficulties of the three more or less contemporary Miles Cogans I have not been fully able to resolve, or to determine definitely whether they were three separate people or could be reduced to two or one. They are :

(1) Miles de Cogan who held two fees (*i.e.* Cogan in Wales) of the Honour of Gloucester in 1166.

(2) Miles de Cogan, the famous Irish conquistador.

(3) Miles de Cogan, who married Christiana, daughter of Fulk Paynel of Bampton, Devan and Huntspill, Somerset, by descent from whom his grandson John de Cogan succeeded in 1266 to the Paynel property. (See my "Marisco Family," *Journal R.S.A.I.*, June 1931, p. 24).

As for (1) the manor of Cogan was held in 6 Henry IV by Robert son of Geoffrey Cogan of Douglas, county Cork, etc., head of the Irish family (*Calendar of State Papers, Carew Misc., Book of Howth*, pp. 362, 363) ; and earlier than that, as your deed shows, by John son of John Cogan. Your Robert Calf was either a trustee or the husband of a Cogan widow, holding through the "courtesy of England." These Cogans could not therefore have been descended from Miles de Cogan, the conquistador. Dr. Orpen's view (as strengthened by your *Calendar of Ormond Deeds*, vol. I, Deed 41) that Miles left an only daughter and heiress Margaret, who married a De Courcy, I think, holds the field. Therefore the Cogans of Cork must have descended from his brother Richard, the only other source for the Irish Cogans that we know of. And therefore the Miles de Cogan who held Cogan in Wales in 1166 was not the conquistador, but probably his father, while Richard was the conquistador's elder brother. We may I think almost certainly decide as follows :

The first Miles de Cogan was lord of Cogan in 1166. His eldest son was Richard de Cogan of Cogan and Douglas in county Cork, etc. His younger son was Miles the famous Irish conquistador, who divided the kingdom of Cork with Robert fitz Stephen, and whose heiress Margaret married de Courcy. The elder brother Richard is represented in your deed as above

by John son of John de Cogan, lord of Douglas, etc., in 19 Edward II *or* III ; and in 6 Henry IV by Robert son of Geoffrey Cogan.

Your deed shows that Richard Cogan of Huntspill (born 1299, succeeded his father in 1315, had livery of his lands in 1320 and died 1368) was a relation. Now he was descended from a Miles de Cogan who married Christinia Paynel. The date of the marriage is unknown, but say around 1200. This was not Miles de Cogan, the conquistador (on Orpen's, theory though G. W. Watson in the *Complete Peerage*, under *Cogan*, maintains, I think, without proper proof, that he was). He seems to be too late for Miles, the head of the family in 1166. And so I think he must have been a descendant of the Irish Richard, perhaps a younger son. As Richard (on my view) held Cogan in Wales, there is no impossibility in his son marrying an English woman. Moreover, although these deeds of settlement mention quite remote kinsfolk in the successive remainders, we must not make Richard of Huntspill too remote from John son of John of your deed.

Failing Irish evidence one naturally turns to the dates of Richard Cogan of Huntspill to date your deed. But here there is little help for either 19 Edward II or III which would suit him. In the " Calendar of State Papers " (*op. cit.* pp. 362, 363) there are numerous variants of your place-names. For the " Newtown of Moinmorgogan in Wales " read the " Newtown of Monmor Cogan in Wales.]"

347.

Court of the Liberty of Tipperary held at Clonmel before Theobald Butler, baron of Cahir, seneschal, on Monday next after the feast of St. Patrick in the 36th year of Queen Elizabeth in the assizes held there.

This records the enrolment of an inquisition taken at Cashel on March 25 in the 12th year of Edward III [March 25, 1338] before Thomas Wogan, Escheator of Ireland, concerning the manor of Moallive in county Tipperary, the tenour of which follows from word to word as in this inquisition and other inquisitions in an ancient roll of the manors of Thurles, Ardmayle,

Kahirkinleise, Brittas, Moallive, Carrig, Clonleynan and Nenagh is contained.

" Inquisition taken before Thomas Wogan, etc., on March 20th in the 12th year of Edward III [March 20, 1338] what lands and tenements James le Botiller, Earl of Ormond, held of the King in chief on the day that he died in his manor of Moyalvi, and how much in others and by what service, what the lands were worth, who is the nearest heir, what age he is, by the underwritten, namely Peter Roche (no other names of jurors given). Which jurors say on their oath that the said Earl held his manor of Moyallvy in county Tipperary of the King in chief without any rent or service. No edifices in the manor except a stone tower covered with shingles. Of no value because nobody wishes to hold it. He had there eighty acres in demesne which used to be under the lord's plough, each acre of which used to be in past times in time of peace worth 4*d*. per annum but now of no value, because the said Earl granted the land to the Irish by his charter, to hold to them and their heirs. So no English dare to hold or let that land, and nothing can be received from it and there are there two acres of meadow which used to be mowed (*falcabiles*) but are of no value because the Irish pasture there with their cattle. So nothing can be received therefrom. There is also a wood called ' Hurle ' containing four hundred acres of no value because it is in the hands of Irishmen and felons.

They say also that Stephen Mareys holds one knight's fee in ' le Clothir ' rendering suit thereof in the lord's court every fortnight for all service. Richard Blanchard holds freely a hundred acres in Rathte . . an for 6*s*. 8*d*. of royal service, and suit. John Roche holds sixty acres in Killoge for 40*s*. rent per annum and suit. But if there is war nothing can be raised.

The burgesses there hold a hundred and twenty acres in their burgages for 4*l*. 16*d*. rent per annum. And if there is war nothing can be raised. Each of the burgesses makes suit at the lord's hundred there, but the profits cannot be valued because they do not dare to hold pleas there because of the Irish.

The tolboll there is worth 12*d*. per annum in time of peace, in time of war nothing.

They say that James le Botiller, son and heir of said James, is his nearest heir and is seven years of age at the feast of All Saints in the 11th year of King Edward III. [November 1, 1337].

Total 6*l.* 2*s.* 4*d.*, of which the third part is 40*s.* $9\frac{1}{4}$*d.* and $\frac{1}{3}$ of a farthing."

March 20, 1338.
March 25, 1338.
March 18, 1594.

348.

Letters patent by the sovereign of Kilkenny, Geoffrey Rothe, and the council of the same town, to the effect that at the request of Peter, Earl of Ormond, they have inspected a certain patent of King Edward made to Sir James son of James le Butiler, Earl of Ormond, of the liberties and knight's fees in county Tipperary and of the prize wines of Ireland, sealed with the great seal of King Edward in green wax, the tenour of which is as follows.

" 'Edward, King of England, etc., to all greeting. Know that whereas We on the 10th day of November in the 21st year of our reign [November 10, 1347] by our letters patent granted to our dear cousin James son of James le Botiller, lately Earl of Ormond, the name and honour of Earl of Ormond and the regality and knight's fees and other liberties and the things that we then had in county Tipperary, saving only the four pleas of the Crown and the profits of the Crosses, to have and to hold for the whole of his life in the same way that his father had them / afterwards on the 10th day of January in the 29th year of our reign [January 10, 1356], our said cousin having petitioned us that whereas the manors of Clonmel, Kilfekill and Kilshilan / which belonged to Maurice fitz Thomas, then Earl of Desmond, in the said county at the time in which the late Earl, father of our said cousin, had while he lived such a regality, fees and liberties by our grant so made to our aforesaid cousin / did, in virtue of a certain outlawry made against the aforesaid Earl of Desmond for divers seditions and felonies for which the said then Earl of Desmond was indicted and convicted, come into our hands; through which our said cousin had in these manors

aforesaid the same regality, etc., that he had in other places, yet the said outlawry afterwards at the suit of the same Earl of Desmond was annulled and the said manors along with others were restored to him out of our hands, to be held as he held them formerly. Now therefore We, wishing to reward our cousin for the good service done and to be done to us, grant that he may have the regality and other liberties, etc., which he had in these manors as in other places in the same county according to the force and effect of our grant aforesaid.

(The original of the above passage as regards the manors of Clonmel, etc., follows here.

" Ac postmodum decimo die Januarii anno dicti regni nostri vicesimo nono prefato consanguineo nostro nobis supplicante ut cum maneria de Clonmell Kilfekill et Kilshilan cum pertinenciis que fuerunt Mauricii filii Thomas (*sic*) tunc Comitis de Dessemound in comitatu predicto in quibus predictus nuper Comes pater ipsius consanguinei nostri huiusmodi regalitatem feoda et libertates sicut in aliis locis dicti comitatus dum vixit habuit tempore concessionis nostre predicte prefato consanguineo nostro sic facte occasione cuiusdam utlagarie in ipsum tunc Comitem de Dessemound pro diversis sedicionibus et feloniis unde idem tunc Comes de Dessemound in dicta terra Hibernie indictatus et rettatus fuit ut dicitur in manu nostra fuissent per quod idem consanguineus noster regalitatem feoda et alias libertates et res sic sibi per nos concessa in maneriis predictis sicut predictus pater suus habuit in eisdem non extitit assecutus/ dictaque utlagaria postmodum ad sectam predicti tunc Comitis de Dessemound adnullata et maneria predicta cum pertinenciis inter alia maneria terras et tenementa que fuerunt ipsius tunc Comitis de Dessemound ea occasione in manum nostram tunc capta eidem tunc Comiti de Dessemound restituta fuissent tenenda prout ea tenuit antequam maneria terre et tenementa illa sic capta fuerunt in manum nostram/ vellemus eidem consanguineo nostro concedere quod ipse regalitatem feoda etc. huiusmodi extunc in maneriis predictis sicut et in ceteris locis infra comitatum predictum habere posset iuxta vim et formam concessionis nostre supradicte.")

' We also wish and have granted by other letters patent of ours that our said cousin may have the above regality, etc.,

saving the four pleas and profit of the Crosses for the whole of his life. So that after his death the said regality may return to us and our heirs.'

'And also on the 20th day of November in the 21st year of our reign [November 20, 1347] by other letters patent of ours, we granted to the said our cousin, because he is of our blood, by the name of James son and heir of James le Botiller, late Earl of Ormond, our prize of wines in the ports of Ireland, for the whole of his life, as his father held it by grant of Lord Edward our father, so that after the death of the same James the prize shall be returned to us.'

'Now we, in consideration of the grateful and fruitful service done to us by the Earl of Ormond especially in our wars in Ireland, and wishing to do our cousin special grace, have confirmed to him the regality and liberties of Tipperary both in the said manors as in other places (saving the above pleas and crosses) as also the prize of wines in Ireland save in the ports of Ireland. To have and to hold to him and the heirs male of his body in the same manner as the said late Earl his father had them for life, which said prize of wines in the land of Ireland / saving the said ports of Youghul and Kinsale, in which ports we have granted the prize of wines to our said cousin by name by virtue of our grants thereupon made to him as is aforesaid.

(The original latin of the above passage is as follows.

"Volentes idem consanguineo nostro graciam facere uberiorem, concessimus et confirmavimus pro nobis et heredibus nostris eidem consanguineo nostro regalitatem et feoda militum et alias libertates et res predicta tam in maneriis predictis quam in aliis locis dicti comitatus de Tiperarie predicti / quatuor placitis viz. incendio raptu forstall et thesauro invento ac eciam proficuo de Croceis in eodem comitatu cum omnibus ad ea spectantibus que erga nos et heredes nostros retinere volumus dumtaxat exceptis / necnon prisam vinorum tam in portubus de Yoghill et Kynsall quam in quibuscumque aliis portubus Hibernie. Habenda et tenenda eidem consanguineo nostro et heredibus masculis de corpore suo exeuntibus eodem modo quo predictus nuper Comes pater suus dum vixit ad vitam suam tam regalitatem feoda militum et alias libertates et res predicta quam prisam predictam in dicta terra Hibernie / preterquam in dictis portubus

de Yoghill et Kynsall in quibus portubus dictam prisam prefato consanguineo nostro sic nominatim ad presens concessimus / habuit virtute concessionum nostrarum sibi inde factarum ut predictum est.")

Rendering for the said prize wines, namely for each tun to us and our heirs only as much and in the same manner as the said Earl his father rendered to us while he lived. So that however if he die without heir male of his body, then after the death of our cousin the whole regality and liberties etc., and the prize wines shall return to us and our heirs in full. In witness whereof we have had these our letters patent made.

Witness ourself at Westminster June 5, in the 46th year of our reign [June 5, 1372]."

The abovesaid sovereign and council, having read the originals, have thought fit to exemplify them at the special request of the abovesaid Peter, Earl of Ormond. In witness whereof to this copy they have affixed the seal of the reeveship (*prepositure*) of the said town, on the 15th day of April in the 9th year of Henry VIII.

November 10, 1347. Seal of the reeveship of Kilkenny.
,, 20, ,,
January 10, 1356.
April 15, 1518.

[For the grant of the Earldom, etc., of Ormond and the prize wines *see* Deeds 644, 693, volume I and Deed 32, volume II of this Calendar].

349.

Inspeximus of a Deed of 1364.

Letters patent of Thomas Mighell, official of the court of Ossory, to the effect that on the 13th day of June in the year 1476 in the parish church of Kilkenny John Lang and Isabella Lanan his wife appeared before him and exhibited a certain deed in tail of lands, complete and legible but worn with age, which for greater security and lest it should perish they desired to have inspected and recited. The tenour of which was as follows :

' Know all and to come that I, William Vele, chaplain, have given, granted and confirmed to Thomas Kilrane, senior, and

Isabella his wife, all messuages, lands, tenements, rents and services which I have in Brebleyston and Granehan in 'le Rou' of Baligauran. To have and to hold to the said Thomas and Isabella and the heirs male of their bodies of the chief lords of the fee by the services due and accustomed by hereditary right for ever. And if they die without heir male so begotten then said messuages, etc., to remain to Robert son of the said Thomas and the heirs male of his body similarly. And if he die without heir male so begotten, then to Thomas son of said Thomas similarly. And if he die without heir male, then to John, son of Thomas de Kilrane, senior, and the heirs male of his body similarly. And if John die without heir male, then to the right heirs of the said Thomas Kilrane, senior, similarly.

In witness whereof to these presents I have set my seal.

Given at Kilkenny on the feast of the Assumption in the 38th year of Edward III [August 15, 1364].'

The official therefore at the request of John and Isabella commands the public notary to make a copy of the deed in a public instrument. In witness whereof the official sets his seal to these presents, on the day, month, year and place aforesaid, there being present Sir John Hyke and John Philip, scholar, of Ossory diocese, witnesses specially called and requested.

Sign and declaration of the notary.

June 13, 1476.

Dorso: The deeds that I receved of Water Butler fitz Edmund Butler of Powliston concerning the lands betwix Richart fitz Tibat and hymselfe called 'le Row.'

350.

Inspeximus by James Maddan, Mayor of the city of Waterford, of certain charters and evidences concerning the descent of the manors of Inchecoyn and Yoghull, as follows.

1) Thomas de Veer, Earl of Oxford and Chamberlain of England, gives and grants to James, Earl of Ormond, and

Elizabeth his wife his whole purparty of the manor of Inchekun and town of Yoghull (as in Deed 134, p. 102, volume II Ormond Deeds).

October 24, 1367.

2) Robert Tybtot, lord of Langare, grants to John Hankyn, King's serjeant-at-arms, his manor of Inchecoine and Youghull (as in Deed 145, p. 107, *ibid*).

February 14, 1369.

3) John Hankyn, as above, grants to James, Earl of Ormond, the above manors (as in Deed 151, p. 113 *ibid*).

October 14, 1369.

4) " James, Earl of Ormond, to his dear Nicholas Counton, reeve of his town of Yoghill, greeting. Because we have assigned to our sovereign and commons of the town of Yoghill the whole part of our rents, profits, etc., of our said town from the term of Easter last past as for that of Michaelmas next to come, for the repair of the wall of the same, we command you that you make to be delivered to the same sovereign and commons the abovesaid rents, to be disposed of by view of John Walsh, John Pike, Edward Amyas and John Portingale, wishing that on your account before our auditors full allowance may be made by these presents. Given at Clonmel, on the 20th day of July in the 10th year of Henry V."

July 20, 1422.

5) Indenture made on Saturday next before the feast of the Purification of the B.V.M. in the 9th year of Henry V between James le Botiller, Earl of Ormond, on one part and James fitz Gerald, Earl of Desmond, on the other part witnesses that the Earl of Ormond has made, constituted and ordained the said James, Earl of Desmond, keeper, governor and supervisor of all the baronies and lordships of Ynchecoyne, Ymakill and the town of Youghull with all free tenants and farmers of the said Earl of Ormond residing on the same.

Also the Earl of Desmond will defend and guard with all his

power, etc., the said lordships and every parcel of them and all tenants, etc., there against all Irish enemies and rebels and any others who threaten them and make good their losses in resisting the same. To have and to hold the said custody and governance for the term of his life. Further the above Earl of Ormond has appointed and ordained the said Earl of Desmond his seneschal in all his baronies and lordships abovesaid for holding and governing all his courts and jurisdictions, etc., in the same, to be held before him or his deputy. Also giving him power to appoint all officers and ministers in the same.

Also the Earl of Ormond himself and his heirs give and grant to the Earl of Desmond in the offices for the term of his life yearly a half of all rents of the said lordships with profits of courts, wardships, reliefs, royal service, etc., etc. And the Earl of Desmond for himself, his heirs, assigns, kinsmen, etc., undertakes that after his decease, none of his heirs, assigns, kinsmen, etc., shall claim or challenge any title in the said lordships.

January 31, 1422.

[*See* Deed 51 of this volume.]

6) Indenture (in English) made between James le Botiller, Earl of Ormond, and James fitzGerald, Earl of Desmond, witnesses that certain covenants have been made between them to the following effect. "First, that Thomas fitz James fitz Gerald, son and heir of the said Earl of Desmond, shall take to wife Anne le Botiller, the said Earl of Ormond's daughter, and that the Earl of Desmond shall send the said Thomas to Johan, countess of Ormond, to be kept under her governance. The Earl of Ormond shall enfeoff Thomas and Anne of the barony of Inchecoyne with the town of Youghal (except the advowson of the church) with all their appurtenances, etc., to have and to hold to Thomas and Anne and the heirs male of their bodies lawfully begotten. In default of such issue, remainder to the Earl of Ormond and his heirs. If the said Thomas die before the consumation of the marriage, the said Anne shall be married to another son and heir of the Earl of Desmond and so from heir to heir, and if the said Anne die before the consumation of her marriage with Thomas, the latter shall be married to a daughter

of the Earl of Ormond or another daughter of his. Johan, countess of Ormond, shall have the nurture and governance of the next issue male of the said Earl of Desmond born in matrimony. The Earl of Ormond shall take the said barony and town (except the advowson of the same) until such time as the marriage is consummated. The Earl of Desmond shall grant a rent charge to Thomas and Anne to be taken on and of all his livelihood in the counties of Waterford and Tipperary, to them and the heirs of their bodies begotten. He shall also make an estate of all his inheritance in Ireland in demesne, service or reversion to three or four persons by fine in the King's Court, to have to them and their heirs in fee for ever. In default of such issue remainder to the right heirs of the Earl of Desmond in fee for ever.

Given at Dublin on the 10th day of May in the 7th year of the reign of Henry VI [May 10, 1429]. For the performance of which both parties have been sworn upon a mass book."

In witness whereof the seal of the office of mayor of Waterford has been set to these presents.

Given on the 8th day of May, 1584.

Seal of mayor of Waterford.

[*See* Deed 88 of this volume].

351.

A number of skins sewn together, dating from the 47th year of Edward III to the 18th year of Henry VI. Miscellaneous deeds, some being copies, relating to the Ormond lands and the Earl's court.

1) William son of Richard de la Rokelle knight, quit-claims for himself and his heirs for ever to James, Earl of Ormond, his heirs and assigns all his right in the manor of Balybothy.

Given at Clonmel on the 13th day of January in the 47th year of Edward III.

January 13, 1374.

2) William de Rokelle admits to have received forty marks silver by the hands of James, Earl of Ormond, in which Richard

Dodde was bound to said Richard de Rokelle his father, of which he now admits himself paid and satisfied.

Same date as above.

[*See* Deed 186, volume II, of this Calendar].

3) Elia who was the wife of William Stokes seeks against John Folyot and Emmelina his wife a third part of eight messuages and one acre of land and meadow outside the bar (*barram*) at Clonmel which came to her from the free tenement which was the said William's, formerly her husband. The said John and Emmelina come and John offers to return to the said party one messuage and one acre of land at the command of the sheriff. And as for two messuages he says that William was not seised in demesne as of fee in them on the day he married her nor afterwards so that he was able to endow her in them. And so he seeks inquisition by jury. And as regards three messuages he says that after the death of Sybilla Northewich, formerly wife of said William, who held the said messuage in heritage, etc., he entered upon the same as by law of England and so was seised in estate of them, and seeks judgment. And if the said Elia denies this, he seeks inquisition by a jury. And as for one messuage which formerly was John Bristow's and John Astell's he says that a certain Eva, formerly wife of John Bristow, was endowed thereof so that the said William had nothing in said third part except at the will of Eva, who survives. He also says that Fides la Botiller, formerly wife of John Astell, after the death of said John was endowed in a third part of the said messuage and demised it to William at her will, which Fides still survives. And as regards two parts of said messuage he says that said William was not seised thereof when he married Elia, nor ever. And as regards the residue of said messuages he says that Elia was endowed in other tenements in allowance. And so he seeks for a jury. Who come and say on oath that William was not seised in demesne of two messuages which formerly were John Palmer's when he married the same Elia, nor ever thereafter. So that William had no estate in one messuage and two shops (*celdis*) which formerly belonged to Sibilla, formerly his wife, except estate by the law of England. And as to a messuage outside the bar of Clonmel on the west

side, and two messuages near said William's manse (*mansum*) on the west side they say that said William was seised thereof when he married her and afterwards. And as to two parts of one messuage which was John Bristow's and John Astell's they say that William was seised thereof in demesne on the day, etc., when he married her. Asked if said William died seised thereof they say yes. Asked as to damages they say 10*s*. So it was resolved that Elia should recover her seisin of a third part of said messuages and shops and of two parts of one messuage of which same William was seised after marriage and died seised thereof, against said John and Emmelina together with damages aforesaid. John and Emmelina in mercy for unlawful detention.

[A case tried in the Earl's court; probably *circa* 1373].

The sheriff was ordered to summon Robert Karmerdyn, cleric, to be before the Seneschal at Clonmel on . . . the feast of St. Edmund in the assizes to reply to the Prior of the Hospital of St. John outside the Newgate, Dublin, that he should return to him the advowson of the church of Raillaston of which he unlawfully deforced him. [Rest of skin rubbed and faded. Raillaston would seem to be Railstown or 'Villa Ranyll' in the Deanery of Cashel. The date is not given but reference is made to 'King Edward who now is.' This is probably Edward III. Brother Danyell, formerly Prior of the above Hospital, is mentioned].

[? 1373].

Roll of attorneys before William son of Peter le Botiller in the assizes held at Clonmel on Monday next after the feast of the Purification in the (*faded*) year of Henry [? IV].

The Abbot of Kilcoull puts in his place Theobald Laynagh or John White to win or to lose in all suits moved or to be moved by or against the same Abbot during the assizes.

James Elys, citizen of Dublin, puts in his place Nicholas Mauclerk or Theobald Laynagh to win or to lose in a certain suit on a writ of debt between said James and Richard Glasewyrth.

Philip son of William Tobyne puts Henry Fannyng in his place to win or to lose in a suit between him and Geoffrey son of Walter Tobyne on a writ of Mort d'ancestre.

Milo Poer puts in his place William Lales and John White to win or to lose in all suits for and against him during assizes.

The Abbot of Oseney puts John Oxeburgh, his fellow-canon, John Brittoill and Theobald Laynagh to win or to lose, etc., as above.

John Croke, merchant, puts in his place Theobald Laynagh to win or to lose, etc.

Richard Whitechurche puts in his place Nicholas Mauclerk and Theobald Laynagh to win or to lose in the suit between him and John Bodram of Naas in a plea of trespass.

Richard White, rector of Donaghda, puts in his place Theobald Laynagh to win or to lose in a suit between him and John Fyswyk in a plea of debt.

Thomas Peke, merchant, puts in his place William Lawles and Michael Peke to win or to lose in all suits, etc.

[Other such attorneys follow; names being John McLod, John Gregory, Stephen Parsoun, Thomas Curr of Limerick, Geoffrey son of Peter Purcell, James son of Edmund le Botiller, Theobald Stapilton, John son of Nicholas White, Walter Shygagh Brit, William fitz Gerald, Robert Poer of Rathgole, John Britton, Thomas, bishop of Lismore, John Everard, Walter Cass, John son of William Lumbard, William fitz Morice].

Oliver and David Comynge took the body of Walter Mauncell in their bailiwick to have his body before the seneschal on Monday next in the feast of St. Urban, Pope [July 29, 1409].

Nicholas Everard and John Brittoun are pledges for good behaviour of Walter Carrike towards the lord King and his faithful people. [Rest of the skin frayed and faded].

James, Earl of Ormond, lord of the Liberty of Tipperary, has sent his letters patent here in these words: "James le Botiller, etc., to all greeting. Know that we, trusting in the fidelity and circumspection of David de Valle, have appointed him our escheator in our said Liberty, and have granted him the office of market and measures throughout our whole Liberty, to do all and sundry which pertains to his office, receiving the accustomed fees. And so we command you to be obedient and intendent to him. In witness whereof we have had these our letters patent made to last as long as shall please us.

Teste me ipso at Carrik on the 8th day of February in the 6th year of Henry IV."

February 8, 1405.

Gregory Ballow McEyot and Joan his wife and Walter Shygagh Britt put in their place William fitz Gerald and Theobald Laynagh to win or to lose in a suit between them and John son of Fulc Mauncell.

The reverend lady Catherine, daughter of Gerald, late Earl of Desmond, puts in her place William fitz Gerald to win or to lose in a suit between her and John Rule, citizen of Waterford, on a plea of debt. [Five other such attorneys follow, much faded].

John, Prior of the Hospital of St. John the Baptist outside the Newgate, Dublin, and the convent of the same came here before John Hedyan, seneschal of the Liberty of Tipperary, in the court of Lord James le Botiller, and presented and showed certain charters made to divers persons and friends, on Thursday next after the feast of Corpus Christi in the assizes at Clonmel in the 18th year of Henry VI [June 2, 1440] and asked to have them enrolled and attested in the rolls of the lord of the Liberty, in these words.

The Prior and brothers of the above Hospital give and grant to Richard Cantewell, bishop of Lismore and Waterford, Richard Hedyan, archdeacon of Cashel, William Hedyan, rector of Fynnour, Walter Flemyng, vicar of Fethard, Peter son of Oliver Comyn, William McLaynegh Botiller and Edmund Bremigham and each of them and their heirs and assigns the manor or grange of Cloghtull both in spirituals and temporals ; also the chapel of Balybrenan in the diocese of Lismore ; also all churches, lands, tenements, rents and services, profits and emoluments in the county of Tipperary and elsewhere throughout the whole province of Cashel belonging to the Prior and convent. To have and to hold to said Richard, etc., of the Prior, convent and their successors during the life of Brother Richard Walsh, rendering yearly therefor ten marks during the life of said Brother Richard Walsh.

Given in our chapter house on the 18th day of September in the year MCCCCXXXVII and the 16th year of Henry VI.

September 18, 1437.

Brother James Coytyfe, Prior of the above Hospital, and the brothers of the same, for a certain money paid to them in hand have sold and given to Master Richard Hedyan, archdeacon of Cashel, Walter Flemyng, etc., as above, all tithes of corn and hay, rents and profits belonging to the church of Cloghtull, etc. [Rest of deed faded].

Pleas held before Peter Hedyan, seneschal of the Liberty of Tipperary, at Clonmel on Thursday next after Corpus Christi in the 18th year of Henry VI [June 2, 1440].

(The cases are of the usual nature and are about twelve in number. The skin is much frayed).

Pleas of assizes held at Clonmel before Walter Lenfaunt, knight, seneschal of the Liberty of Tipperary, on Monday next after All Souls in the 48th year of Edward III [November 6, 1374].

Assize to inquire if Thomas Comyn and Emma his wife unlawfully and without judgment disseised John son of Matthew Loundres of his free tenement in Tyllaghmethan, in which they disseised him of fifty-three acres of land in the same town. Thomas and Emma come by Walter Sall their bailiff and answer as regards the tenement in question and say that they never made any unlawful detention or disseisin against said John and ask that this be decided by an assize. A jury is summoned and say on oath that long before said John had any interest in said tenements a certain (*torn away*: Jordan) Comyn was seised in demesne as of fee in same and gave them to a certain John Loundres, great-grandfather (*proavo*) of the said John (? : *torn away*) who now seeks recovery, whose heir he is, by service for the term of life of the same John, great-grandfather. And same John, great-grandfather, gave the same tenements to a certain Adam Loundres his son, which Adam had estate in them for four years during the life of same John his father. And the same John died and Adam had his estate in the same tenements for twenty years without any claim or contradiction of the same Jordan. And Adam had a son called Matthew and same Matthew had a son John, now the claimant. Matthew died during Adam's life and afterwards Adam died seised of the above tenements

and John who now is entered into the above tenements as kinsman and heir of Adam and was seised thereof. They say also that said Jordan had a certain daughter and heiress Elena, who had a daughter and heiress, the said Emma [torn away], who took as husband the said Thomas Comyn. And said Thomas entered the above tenements by right of same Emma his wife as kin and heiress to said Jordan. And said John who now is, etc, [torn away]. And of such estate Thomas and Emma were seised on the day of the request for a writ. The jury, asked what damages, say six marks. Asked if the entry was made *vi et armis* they say no. And so to judgment. And because the court is not yet decided on judgment, a day is given to them for deciding on Monday next after the feast of the Annunciation of the B.V.M. at Clonmel at the trial of pleas.

November 6, 1374.

352.

Notarial deed attesting that in the year 1378 [1379 N.S.] on the 13th day of January, in a certain chapel of the B.V.M. in the monastery of St. Peter at Gloucester of the order of St. Benedict, there appeared in person before the Lord Abbot of the same, Margaret wife of John Cheyne, knight, lately wife of Robert de Typetot, Lord of Langare, who of her pure free will took oath on the Gospels that she would never make any claim to any land or tenements in 'le Yoghill', Inchecoigne, and elsewhere in Ireland, by reason of her dower; which lands, belonged to the said Robert, as by copy of an obligation made by the said Sir John Cheyne to said Lord Abbot is more fully contained. [For the terms of these letters obligatory, *see* Deed 232, pp. 154, 155, of volume II of this Calendar]. All the above were done as above-written in the year aforesaid; there being present John Berkleye, John Boyfeld and John Stringare, learned men and esquires (*litteratis et armigeris*) of Worcester diocese.

The seal of the abovesaid Abbot is appended.

Sign and declaration of the notary, namely Richard le Wheolar, clerk of Worcester diocese.

January 13, 1379. Fragment of Abbot's seal.

353.

Paper copies of four deeds of which the first relates to the creation of the Earldom of Carrick for James le Botiller in 1315, for which see Deed 513, volume I of this Calendar. The second refers to the confirmation of the title of Earl of Ormond on James le Botiller in 1367; see Deed 664 *ibid.* The third is a copy of the grant by John de Stanley to James le Botiller, Earl of Ormond, of the manor of Blackcastle: for this see Deed 340, volume II of this Calendar. The fourth is as follows.

" Henry, King, etc., to all, greeting. Know that we have granted to Thomas le Botiller, Prior of the Hospital of St. John of Jerusalem in Ireland, deputy of our dear son Thomas of Lancaster, Lieutenant of Ireland, for his various services the manors of Oghterard and Castelwarning in county Kildare, together with knights' fees, advowsons, wards, marriages, reliefs, etc., thereto pertaining. To have and to hold to him and his heirs in fee simple of us, our heirs and successors by service of one rose per annum at the Nativity of St. John the Baptist, notwithstanding any estate, title, possession and grant, etc., formerly made according to the tenour and effect of an order sent to the said Deputy by our said Lieutenant as is said. Any such title, grant, possessions, claim, etc., we have by our letters patent out of England revoked and annulled.

Teste our said Deputy at Drogheda on the 16th day of February in the 13th year of our reign."

Sutton.

February 16, 1412.

354.

Compotus of the City of Waterford.

Inspeximus dated April 29, 1531, of a compotus of the city of Waterford enrolled in the great roll of the 37th year of Edward III, in these words. " City of Waterford : The mayor and bailiffs of that city by Richard Kent, their attorney, appointed by letters patent under the common seal of the city, in virtue of a concession of the King by his letters patent enrolled in the memoranda roll of the Exchequer of Dublin in Trinity term in the 31st year of the present King, and also by the King '

writ directed from England to the Treasurer and Barons of the said Exchequer, account for 33*l.* 6*s.* 8*d.* of the fee-farm of that city for Michaelmas term in the 37th year of the present King, and for 100*l.* of the said farm for a year and a half preceding, that is 66*l.* 13*s.* 4*d.* yearly, making 133*l.* 6*s.* 8*d.* in all.

Paid into the Treasury by five tallies 33*l.* 6*s.* 8*d.*

Paid to James le Botiller, son and heir of James le Botiller, late Earl of Ormond, due to the late Earl and Eleanor his wife for the said terms in payment of the 10*l.* yearly which the King granted to the said James, late Earl of Ormond, and his heirs for ever, under the name and honour of Earls of Ormond, receiving it from the farm of the said city by the hands of the mayor and bailiffs, as is more fully contained in the King's grant to the said earl. And the King instructed the mayor and bailiffs to allot the said 10*l.* yearly in the term of the city with the portion assigned in dower to Eleanor, widow of the said Earl, and they are quit by the King's writ in their account in the roll of the 21st year of the present King, as also appears by letters of acquittance which they delivered at the exchequer 20*l.*

Paid to the said James Butler, Earl of Ormond, for the said terms for the 40*l.* yearly which the King granted him to receive each year from the farm of that city at the terms at which it was accustomed to be paid by the hands of the mayor and bailiffs or keepers or citizens of the said city for the time being during his whole life, or till provision be made elsewhere for the forty librates of land or yearly rent during his whole life, as appears more plainly in the King's letters patent, in recompense for those forty librates of land which the King granted the said James of the lands and tenements which were of the inheritance of Walter son of Walter de Bermyngham in the land of Ireland for his whole life, which grant was revoked by the King for certain reasons. And the King commanded the said mayor and bailiffs to allot the said 40*l.* yearly in their term at the exchequer of Dublin in recompense for the said forty librates, as appears by letters patent of the King at the end of the said city's account in the roll of the 32nd year, and by the King's writ which is allotted in the Marshal's bin (*forulo*) among the writs from England, and by letters of acquittance of the said

Earl, which they delivered at the Exchequer over their account 80*l.*

In all 133*l.* 6*s.* 8*d.*, and they are quit."

Exemplified at the request of Bartholomew Dyllon, knight, second justice in the King's Bench in Ireland.

Teste Patrick Fynglas, Chief Baron of the Exchequer of Ireland.

[1363].

April 29, 1531.

355.

Inspeximus dated May 4, 1537, in the 29th year of Henry VIII, of certain depositions taken in Ireland on April 26, 1537, before the Chancellor by writ of *sub pena* and at the instance of Piers, Earl of Ossory, touching the dignity of that earldom. Thomas Luttrell, Chief Justice of the Common Place in Ireland, swore that he, being then in the office of the King's serjeant-at-law in the house called the Treasury, wherein the King's records remain, looking for certain records for the furtherance of the King's rights and profits, he found by chance a piece of a roll of the Chancery of Richard the second's time which contained a writ of *liberate* and *allocate* to the mayor and baillifs of Waterford to deliver to James, then Earl of Ormond, 10*l.* of the fee-farm of that city, which the King granted to the Earl of Ormond and his heirs male at his creation for the support of that dignity. And the said Thomas caused Thomas FitzGerrot, clerk, to copy the record verbatim.

Patrick Fynglas, chief Baron of the Exchequer, being examined, confirmed the above from the records of the Exchequer. Walter Hussey, Chief Engrosser of the Exchequer, aged eighty years, confirmed the above evidence.

[1382–1399].

May 4, 1537.

(This deed only refers to Richard II's time in general and to James who was Earl of Ormond, 1382–1405. For this sum of 10*l.* out of the fee-farm of Waterford, see Vol. I of this Calendar p. 272 and Vol. 2, p. 103).

356.

Eight Deeds (in latin) relating to Crompestown, county Tipperary, 1377–1544.

1) Thomas Yong, chaplain, appoints Stephen Crynan, chaplain, his attorney to put Thomas Ossheth and Alysia his wife in full seisin of his lands, tenements, rents and services which he had of the grant of the said Thomas Oshee in Crumpistown, Elyotte-sheiis, Oldtoun and Kylcowll. Given at Fethard.

June 1, 1377.

2) Joan Shee, daughter and heir of John Shee, grants to Richard Shee a carucate of land in Crompistown which John Shee, son of Thomas Shee, had from the chief lord of the fee for 2*s*. yearly, and confirmation of half Monsellystown and Kylkowlle in the barony of Killteywnan, county Tipperary.

Witnesses: Edmund Bermingham, Richard son of Theobald Bourk, David Tobyn.

May 20, 1450.

3) Peter, son of Nicholas Everard, appoints Oliver Burdon his attorney to put John Cantwell, archbishop of Cashel, in possession of his castle, hall and place in Boyrebalistret, a place beside Capulmarket, twelve acres of arable land in the burgagery of Fethard, and four acres of pasture.

May 27, 1459. Seal complete.

4) Richard, son of Donald O'Shee grants to Richard (Risterd) Hedian, burgess of Fethard, his heirs and assigns for ever, a parcel of land in Crompistown, holding of the chief lord of the fee by the services due and accustomed. Given at Fethard.

September 12, 1523.

5) Peter Hedian, son and heir of Richard Hedian of Fiard, grants to Piers, Earl of Ormond and Ossory, Margaret his countess, and their heirs for ever, a parcel of land called Shee's land in Crompiston.

April 27, 1539.

6) Katherine Butler, relict of Richard Hedian, grants to Piers, Earl of Ormond, a parcel of land called Shee's land in Crompiston.

April 29, 1539.

7) John Sentjohn *alias* Fitz John of Skadanestown grants to Thomas Marres of Kyldonale and Edmund Purcell of Burresleagh all messuages, lands, rents, etc., which he has in the manor, town and fields of Crompiscastell, otherwise called Crompislande or Crompistown, to the use of James, Earl of Ormond, his heirs and assigns for ever, holding of the chief lord of the fee.

October 17, 1542. Seal.

8) Donald son of Philip son of Donald son of Walter the brother of Richard Shee of Kylkeran, Donald son of Thadeus Shee of Lysnecorve, and Nicholas son of William Shee of Kyllake, county Tipperary, grant to Nicholas Motyng, chancellor of St. Canice's Cathedral, Kilkenny, a carucate of land in Crompiston and half of their messuages, lands and tenements in Moncelliston and in Kilcowle in the barony of Kyltewnan, county Tipperary.

Witnesses: Walter Archer, sovereign of Kilkenny, Richard Nugent, James Baron, Sir William Phelan, John Hedian, Nicholas Hacket, Maurice Kavenagh.

October 20, 1544. Two seals.

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